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Regd. No. M.—1175

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. D. 4056—C. S. 33-35-2, dated Bangalore, 3rd January 1936.

The following draft amendment to Rule 16 (ii) of the Rules issued under Section 44 of the Mysore Co-operative Societies Regulation VII of 1918 as amended from time to time is hereby published for general information. All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by the amendments may be forwarded so as to reach the Secretary to Government, General Department, within two months from the date of publication of this Notification in the *Mysore Gazette*.

Any suggestions received after the due date will not receive consideration.

After the word "Registrar," occurring in the first sentence of Rule 16 (ii), add the words "The Deputy Registrar or the Assistant Registrar, who is deciding the dispute

and

For the word "Registrar" occurring in the second sentence of the Rule, substitute the words "officer making the appointment."

An additional sub-paragraph as follows shall also be inserted :—

"When a necessity arises for the appointment of a guardian to a minor or a person of unsound mind in a dispute before an arbitrator, the file may be returned to the Deputy Registrar or the Assistant Registrar who referred the dispute to him for the appointment of a guardian."

The Rule will, with these amendments, read as follows :—

"16 (ii) Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar or the Deputy Registrar or Assistant Registrar who is deciding the dispute, on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind. The officer making the appointment, may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

When a necessity arises for the appointment of a guardian to a minor or a person of unsound mind in a dispute before an arbitrator, the file may be returned to the Deputy Registrar or the Assistant Registrar who referred the dispute to him for the appointment of a guardian."

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore

NOTIFICATIONS.

No. 4424—Legis. 46-35, dated Bangalore, 8th January 1936.

1. The Mutsaddis of Toll-gates specified below are appointed Licensing Officers under the Mysore Road Traffic and Taxes Regulation for the purpose of the collection of vehicle taxes on motor cycles and motor cars only and for the grant of licenses therefor:—

(1) Attibele on the Bangalore-Hosur Road in Bangalore District.
(2) Nangli on the Bangalore-Madras Road in Kolar District.
(3) Bhandipur on the Mysore-Ootacamund Road in Mysore District.
(4) Koppa on the Mysore-Mercara Road in Mysore District.
(5) Muthur on the Periyapatna-Virarajendrapet Road in Mysore District.
(6) Harihar on the Bangalore-Dharwar Road in Chitaldrug District.

2. These Licensing Officers are also empowered to collect the composition fee in lieu of tolls in respect of the vehicles specified in para (1) above, under Section 20 of the Road Traffic and Taxes Regulation and the Rules issued thereunder and to issue tokens therefor.

3. This will take effect on and from the 20th January 1936.

No. P. 4426—Legis. 46-35, dated Bangalore, 8th January 1936.

The Government of His Highness the Maharaja are pleased to notify that the system of composition of tolls at a single toll-bar in respect of bullock carts under Section 21 of the Road Traffic and Taxes Regulation and the Rules issued thereunder under Notification No. P. 3443—Legis. 46-35, dated 27th November 1935 will come into force on and from 1st July 1936.

No. P. 4425—*Legis.* 46-35, *dated Bangalore,*
8th January 1936.

Re the composition of tolls in respect of a single toll-bar under Section 21 of the Road Traffic and Taxes Regulation and the Rules thereunder issued under Notification No. P. 3443—Legis. 46-35, dated 27th November 1935.

———

In exercise of powers conferred under Section 21 of the Road Traffic and Taxes Regulation and of the Rules thereunder published under Notification No. P. 3443—Legis. 46-35, dated 27th November 1935, the Government of His Highness the Maharaja are pleased to notify the following with regard to the composition of tolls at a single toll-bar in respect of motor vehicles :—

(1) The Deputy Commissioners of Districts and the Amildars of Taluks are empowered to collect the composition fee in respect of toll-gates situated within their jurisdiction and to issue the tokens.

(2) The tokens shall be in the form annexed to this Notification.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

ANNEXURE.

FORM OF TOKEN TO BE ISSUED TO MOTOR VEHICLES FOR COMPOSITION OF TOLLS AT A SINGLE TOLL-GATE.

The motor vehicle specified below is exempt from tolls at..... toll-gate under Section 21 of the Road Traffic and Taxes Regulation and Rules thereunder.

Register No. of motor vehicle.....

Description .....

Name and address of the owner of the vehicle. .....

The period for which the token is valid. .....

Regd. No. M.—1175

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

Order No. P. 4473—Legis. 20-34-8, dated Bangalore, the 9—10th January 1936.

Ordered that the accompanying Regulation to amend the Mysore Agriculturists' Relief Regulation, 1928, which received the assent of His Highness the Maharaja, on the 27th day of December 1935, be published as Regulation No. VII of 1935, in the *Mysore Gazette* for general information.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION VII OF 1935.

(Received the assent of His Highness the Maharaja on the 27th day of December 1935).

A Regulation to amend the Mysore Agriculturists' Relief Regulation XVIII of 1928.

Preamble. Whereas it is expedient to amend the Mysore Agriculturists' Relief Regulation, 1928; It is hereby enacted as follows:—

Short Title. 1. This Regulation may be called the Mysore Agriculturists' Relief (Amendment) Regulation, 1935.

2. The following shall be substituted for the first paragraph of Section 12 of the Regulation:—

Amendment of Section 12. "In passing a decree for money in any suit under this Regulation or in the course of any proceedings under a decree passed, whether before or after this Regulation comes into force, against an agriculturist, the Court may, on the application of either party, direct that any amount payable under that decree shall be paid by instalments."

Additions of new Sections 12-A and 12-B 3. The following shall be added after Section 12 as Sections 12-A and 12-B:—

12-A. The instalments to be allowed under Sections 11 and 12 shall be annual, and in fixing the number of such instalments, the Court shall take into consideration among other matters, the period during which the loan was outstanding and the repaying capacity of the judgment-debtor.

12-B. Whenever the Court orders payment by instalments, it may direct that when two or more instalments are in arrears, the decree-holder may immediately enforce payment of the whole amount then remaining due under the decree.

Amendment of Section 14. 4. (i) In Section 14 of the Regulation, for the words "No immovable property" at the beginning of the sentence, the words "Except as otherwise provided in Sub-sections (2), (3) and (4) no agricultural land" shall be substituted.

(ii) The following shall be added as Sub-sections (2), (3) and (4), the existing paragraph being numbered as Sub-section (1):—

"(2) The Court may at the time of passing a decree for money directing payment by instalments or at any time during the course of execution of such decree direct the judgment-debtor for sufficient cause to furnish security for the amount of the decree and if he fails to furnish the security required, order the attachment of any agricultural land belonging to the judgment-debtor.

"(3) The procedure in respect of attachments ordered under Sub-section (2) shall be, as far as may be, in accordance with the procedure relating to attachment before judgment under Order XXXVIII of the Civil Procedure Code, 1911.

"(4) No agricultural land ordered to be attached under Sub-section (2) shall be sold in pursuance of such attachment unless the judgment-debtor is in arrears in respect of two or more instalments under the decree."

5. The following shall be added as Section 25-A :— Addition of a new Section 25-A.

25-A. The Government may, by notification in the Official Gazette, from time to time, direct that the provisions of this Regulation, except Sections 2 and 13, shall not apply to any matter to or in which any society or class of societies registered under the Mysore Co-operative Societies Regulation, 1918, is a party, and may by a similar notification withdraw the exemption in respect of any such society or class of societies. Exemption in respect of certain Co-operative Societies.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 4479—Legis. 58-35-1, dated Bangalore, the 9—10th January 1936.

Ordered that the accompanying Regulation to amend the Mysore Religious and Charitable Institutions Regulation, 1927, which received the assent of His Highness the Maharaja, on the 27th day of December 1935, be published as Regulation No. VIII of 1935, in the *Mysore Gazette*, for general information.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION VIII OF 1935.

(Received the assent of His Highness the Maharaja on the 27th day of December 1935.)

Regulation to amend the Mysore Religious and Charitable Institutions Regulation, VII of 1927.

Preamble.

Whereas it is expedient to amend the Mysore Religious and Charitable Institutions Regulation VII of 1927; It is hereby enacted as follows:—

Substitution of a new sub-section for Sub-section (2) of Section 38.

The following shall be substituted for Sub-section (2) of Section 38 of the said Regulation :—

"An appeal will lie to the Government against every order passed by the Muzrai Commissioner, provided that no such appeal shall lie to the Government from an appellate decision passed by the Muzrai Commissioner except on a point of law or usage having the force of law."

MIRZA M. ISMAIL,
Dewan.

Order No. P. 4478—Legis. 59-35-1, dated Bangalore, the 9—10th January 1936.

Ordered that the accompanying Regulation further to amend the Mysore Village Panchayet Regulation, 1926, which received the assent of His Highness the Maharaja, on the 27th day of December 1935, be published as Regulation No. IX of 1935, in the *Mysore Gazette* for general information.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION IX OF 1935.

(Received the assent of His Highness the Maharaja on the 27th day of December 1935.)

Regulation further to amend the Mysore Village Panchayet Regulation, II of 1926.

Preamble

Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows:—

Addition of new section as Section 29A.

1. After Section 29 of the said Regulation, the following new section shall be inserted, namely:—

Power of Government to prohibit the erection of buildings in certain areas without permission.

29A. (1) Notwithstanding anything contained in Section 29, the Government may, in the public interest and after consulting the Village Panchayet concerned, through the Deputy Commissioner of the District, prohibit by notification published in the Official Gazette, the erection of any building within a specified area in a Village Panchayet, except with permission granted by the Government or by such officer as may be empowered by the Government in this behalf.

Provided that such permission shall not be refused in the case of lands which have been set apart as building sites by the Government or the Village Panchayet prior to the publication of such notification.

(2) The grant of any permission under sub-section (1) may be subject to such conditions as may be fixed by the Government in each case or prescribed generally.

(3) Whoever erects any building contrary to the provisions of Sub-section (1) or the conditions imposed under Sub-section (2) shall, on conviction before a Magistrate, be punished with fine which may extend to two hundred rupees.

(4) The Government may demolish any building erected contrary to the provisions of Sub-section (1) or in violation of the conditions imposed under Sub-section (2).

Amendment of Section 57 (2)

2. In Sub-section (2) of Section 57 of the said Regulation, the words "or between a District Board and a Panchayet" shall be inserted after the word "districts."

MIRZA M. ISMAIL,
Dewan.

Order No. P. 4477—Legis. 60-35-1, dated Bangalore, 9—10th January 1936.

Ordered that the accompanying Regulation further to amend the Mysore Police Regulation, 1908, which received the assent of His Highness the Maharaja, on the 27th day of December 1935, be published as Regulation No. X of 1935 in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION X OF 1935.

(Received the assent of His Highness the Maharaja on the 27th Day of December 1935.

Regulation further to amend the Mysore Police Regulation V of 1908.

Preamble. Whereas it is expedient further to amend the Mysore Police Regulation, 1908; It is hereby enacted as follows :—

Amendment of Section 56 (a). In sub-clause (*a*) of Section 56 of the said Regulation, between the words "any description" and the words "at any time," the words "or drags or pushes in any street a vehicle of any description other than a bicycle," shall be inserted.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 4476—Legis. 61-35-1, dated Bangalore, the 9—10th January 1936.

Ordered that the accompanying Regulation further to amend the Mysore Income-tax Regulation, 1923, which received the assent of His Highness the Maharaja, on the 27th day of December 1935, be published as Regulation No. XI of 1935, in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION XI OF 1935.

(Received the assent of His Highness the Maharaja on the 27th day of December 1935.)

A Regulation further to amend the Mysore Income-tax Regulation V of 1923.

Whereas it is expedient further to amend the Mysore Income-tax Regulation, 1923; It is hereby enacted as follows:—

Amendment of Sub-Sec. (4) of Sec. 10.

At the end of sub-section (4) of Section 10 of the said Regulation, the following words shall be added :—

"and no deduction shall be allowed of the amount of loss appearing to such officer to be due to the transactions outside Mysore."

MIRZA M. ISMAIL,
Dewan.

Order No. P. 4520—Legis. 62-35-1, dated Bangalore, the 11th January 1936.

Ordered that the accompanying Regulation further to amend the Mysore Prevention of Adulteration Regulation 1921 which received the assent of His Highness the Maharaja, on the 30th day of December 1935, be published

as Regulation No. XII of 1935, in the *Mysore Gazette* for general information.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION XII OF 1935.

(Received the assent of His Highness the Maharaja on the 30th day of December 1935.)

Regulation further to amend the Mysore Prevention of Adulteration Regulation, IX of 1921.

Preamble.

Whereas it is expedient to further amend the Mysore Prevention of Adulteration Regulation, 1921; It is hereby enacted as follows:—

Addition of a new Section 5-A.

After Section 5 of the Regulation, the following new section shall be added as 5-A:

Prohibition of mixing of food with injurious ingredients or selling the same.

"5-A. Any person who mixes, colours, stains or powders or orders or permits any other person to mix, colour, stain or powder any article of food with any matter or ingredient so as to render the article injurious to health with intent that the same may be sold in that state or sells or offers or exposes for sale any such article so mixed, coloured, stained or powdered shall be punished for the first offence with a fine which may extend to one hundred rupees and for every subsequent offence with a fine which may extend to five hundred rupees.

Exemption in case of proof of absence of knowledge.

Provided that no person shall be liable to be convicted in respect of the sale of any article of food if he proves, to the satisfaction of the court before whom he is charged, that he did not know of the article of food being so mixed, coloured, stained or powdered as aforesaid and that he could not, with reasonable diligence, have obtained such knowledge."

MIRZA M. ISMAIL,
Dewan.

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BANGALORE, THURSDAY, JANUARY 30, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. Fl. 5688—G. F. 432-34-4, dated Bangalore, 20th January 1936.

In exercise of the powers conferred by Section 23 (1) of the Mysore Securities Regulation, 1925, the following draft of certain amendments to the Government Securities Rules, 1925, is published for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after 25th February 1936. Any objections or suggestions which may be received from any person with respect to the draft amendments before the said date will be considered by Government :—

Amendments to the Government Securities Rules, 1925.

RECOGNITION OF OFFICE-HOLDERS.

Rule 7 (1).

Substitute the following :—

On a proper demand made by a person who is the holder of an office other than a public office, the

Comptroller may, in the case of any account of Government stock to be opened and kept with such person, either alone or jointly with other persons, describe such person in the books of the Comptroller's office by the name of his office.

Renumber the existing clauses (*d*) and (*e*) as (*f*) and (*g*) and insert the following as (*d*) and (*e*) in Rule 10:—

(*d*) If the interest on the note has remained undrawn for ten years or more;

(*e*) If the interest cages on the reverse of the note have been completely filled.

Substitute the following for Rule 13 (2):—

(2) if no portion or no sufficient portion of the note so lost, stolen or destroyed has been produced.—

(*a*) pay to the applicant, two years after the publication of the said list, and on the execution of an indemnity bond in the manner hereinafter prescribed, the interest in respect of the note so lost, stolen or destroyed pending the issue of a duplicate note, and

(*b*) issue to the applicant a duplicate note in place of the note so lost, stolen or destroyed six years after the date of publication of the said list; provided that, if the date on which the note is due for repayment falls earlier than the date on which the said period of six years expires, the Comptroller shall, within six weeks of the former date, invest the principal amount due on the note in the Mysore Government Savings Bank unless before the expiry of such period, the applicant has made a specific request for the investment of the amount in securities of any of the current loans of the Government of Mysore maturing not earlier than the date on which the duplicate is due for issue and in that case, shall invest the amount in such securities and deposit the balance, if any, left after such investment in Mysore Government Savings Bank. He shall repay the amount invested in such bank together with any interest which may have accrued thereon, and if any investment has been made in Government Securities shall deliver such securities together with the interest accrued thereon, to the applicant

at the time when a duplicate note would otherwise have been issued.

Substitute the following for Rule 15 (2)—

The Comptroller may direct that such indemnity bond shall be executed by the applicant alone or by the applicant and one or two sureties as he may think fit, or that in lieu of personal securities the applicant shall furnish collateral security in the shape of Government Securities, Savings Bank Deposits, Post Office Cash Certificates or Government of India Bonds to be deposited with him for such amount and period as he may think fit.

16. (2) For "All notes" at the beginning of the sentence substitute "All Mysore Government Promissory Notes."

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21. Add the following as a proviso (a) noting the existing one as (b) :—

Provided that no fee shall be payable,

(a) in respect of the conversion of a Government promissory note into a stock certificate, and,

22. Substitute the following for the first sentence and add the words "in lieu of personal sureties" after the words "think fit" at the end of the second sentence.

An indemnity bond taken on the issue of a renewed, converted, consolidated or subdivided security shall be as nearly as may be in Form XII and shall be for twice the amount of the security or securities as the case may be and shall be executed by the applicant alone or by the applicant and one or two sureties as may be directed by the Comptroller.

Substitute the following for Rule 26 (2).—

Every such application shall state with precision the particulars (namely, the number, rate of interest, loan to which it belongs and the face value) of the security and shall contain a statement of the purpose for which the information is required and of the interest of the applicant in the security. If any of the above particulars are not

known to the applicant, the Comptroller may, on application being made to him, supply at his discretion, the required particular or particulars, if available, to the applicant, subject to such conditions and on payment of such fees, if any, as he may prescribe.

By Order,

S. SHAMANNA,

Secretary to Government,
Financial Department.

NOTIFICATION.

No. P. 4977—Legis. 46-35, dated Bangalore, 29th January 1936.

1. The Mutsaddi of Kottigehar Toll-gate, in Kadur District, is appointed Licensing Officer under the Mysore Road Traffic and Taxes Regulation VI of 1935 for the purpose of the collection of vehicle taxes on motor cycles and motor cars only and for the grant of licenses therefor.

2. The above Licensing Officer is empowered to collect the composition fee in lieu of tolls in respect of the vehicles specified in para (1) above, under Section 20 of the Road Traffic and Taxes Regulation and the rules issued thereunder and to issue tokens therefor.

3. This will take effect on and from the 10th February 1936.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,
General Department.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. R. 4609—L. R. 98-35-63, dated Bangalore, 31st January 1936.

The Government of His Highness the Maharaja of Mysore are pleased to direct that the following note be substituted for the note under Clause 7 to Rule 43 of the Rules under the Mysore Land Revenue Code inserted by Notification No. R. 772—L. R. 8-31-62, dated the 6th August 1932:—

"Depressed classes in the above paras include Adikarnatakas, Adidravidas, Banajaras, Voddars, Korachars, Koramars, Hill tribes, Animists and members of the Pishari, Mochi and Iruliga communities."

No. P. 4963—Pol. 52-35-12, dated Bangalore, 27—29th January 1936.

In exercise of the powers vested in them by Section 3 (iv) of the Mysore Police Regulation V of 1908 as

amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to direct that the words "either in person or by proxy" be added after the words "the village fence or village gate" in Rule 31 A (2) of the Village Police Rules (Rules for the organization and regulation of the Village Police in Mysore, published with the Notification of the Government of India, Foreign Department, No. 230, dated Simla, the 16th October 1872).

Rule 31 A (2) as amended will read as follows:—

"Any male adult inhabitant of the village who shall refuse on the requisition of the patel to take his turn of watching in the choultry or to help in repairing the village fence or village gate either in person or by proxy shall be liable, on conviction before a Magistrate to a fine not exceeding rupees five in the case of first conviction, and not exceeding rupees fifty on a second or subsequent conviction."

By Order,

A. V. RAMANATHAN,
Chief Secretary to Government.

No. P. 5007—Legis. 46-35, dated Bangalore, the 29—30th January 1936.

The Government of His Highness the Maharaja are pleased to recognise under the Mysore Public Service Motor Vehicles Rules 1935, as valid within the limits of Bangalore City, the permits issued by the Commissioner of Police, Civil and Military Station, in respect of *motor cabs* of the Station. The said motor cabs need not, while let for hire in the limits of the Bangalore City, obtain permits prescribed under Rule 2 of Public Service Motor Vehicles Rules.

While let or plied for hire outside the limits of Bangalore City these vehicles must obtain permits prescribed under Public Service Motor Vehicles Rules.

No. P. 5008—Legis. 46-35, dated Bangalore, 30th January 1936.

In virtue of powers vested in them under the proviso to sub-section 6 of Section 9 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to exempt the motor vehicles of the Civil and Military Station specified below from the provisions of the said sub-section when such vehicles are using the roads in the area specified below.

Serial No.	Class of Vehicle	The area in which the vehicle is exempted from provisions of Sub-Section 6	Remarks
1	Private Motor cars and cycles.	Whole of Mysore	
2	Private motor lorries.	Within the municipal limits of Bangalore City.	
3	Motor Cabs ...	Do do	

2. They are further pleased to direct that in the case of the motor vehicles of the Civil and Military Station, specified in items 1 to 3 above the tokens indicating payment of taxes in the Civil and Military Station shall be deemed to be sufficient to indicate exemption and that these vehicles shall not be required to exhibit the licenses of Mysore in the area in which they are thus exempted.

3. The said token of the Civil and Military Station shall be carried on the vehicle in the manner prescribed in Rule No. 16 of the Mysore Motor Vehicles Tax Rules.

4. These arrangements will be in force up to and inclusive of the 31st March 1936.

No. P. 5009—Legis. 46-35, dated Bangalore, the 29—30th January 1936.

In virtue of powers vested in them under Section 13 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are

pleased to exempt from taxes, in the manner and to the extent specified below, the following motor vehicles of the C. & M. Station which have paid the taxes due therein.

Serial No.	Class of vehicle	Nature and extent of exemption	Remarks
1	Private motor cars and motor cycles.	(i) Exempt from the vehicle tax in the whole of Mysore. (ii) Exempt from Municipal tolls throughout Mysore.	Eligible to composition of tolls under Sections 20 and 21 of the Regulation.
2	Private motor lorries.	(i) Exempt from Road Tax only within the municipal limits of Bangalore City. (ii) Exempt from Municipal tolls of Bangalore City.	Liable to Road Tax when using any road beyond the municipal limits of Bangalore City. These lorries must obtain permits for the use of the roads either in Bangalore City or outside from the District Magistrate, Bangalore.
3	Motor cabs ...	(i) Exempt from Service Tax within the municipal limits of Bangalore City. (ii) Exempt from Municipal tolls of Bangalore City.	Liable to Service Tax when using any road in Mysore beyond that in the limits of Bangalore City.
4	Motor buses ...	Exempt from Municipal tolls of Bangalore City.	Liable to Service Tax and other taxes when plying in Bangalore City or outside.
5	Lorries let or plied for hire.	Exempt from Municipal tolls of the City of Bangalore.	Liable to Road Tax whether in Bangalore City or outside.

2. This will be in force up to and inclusive of 31st March 1936.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Order No. P. 4749—Legis. 63-35-1, dated Bangalore, 20th—21st January 1936.

Ordered that the accompanying Regulation to consolidate and amend the law regulating Labour in Factories which received the assent of His Highness the Maharaja, on the eleventh day of January 1936 be published as Regulation No. I of 1936, in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION I OF 1936.

(Received the assent of His Highness the Maharaja on the eleventh day of January 1936.)

A Regulation to consolidate and amend the Law regulating Labour in Factories.

Whereas it is expedient to consolidate and amend the law regulating labour in factories; It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Factories Regulation, 1936.

(2) It extends to the whole of Mysore.

(3) It shall come into force on the 1st day of April 1936.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,

(*a*) "adolescent" means a person who has completed his fifteenth but has not completed his seventeenth year;

(*b*) "adult" means a person who has completed his seventeenth year;

(*c*) "child" means a person who has not completed his fifteenth year;

(*d*) "day" means a period of twenty-four hours beginning at midnight;

(*e*) "week" means a period of seven days beginning at midnight on Saturday night;

(*f*) "power" means electrical energy, and any other form of energy which is mechanically transmitted and is not generated by human or animal agency;

(*g*) "manufacturing process" means any process

(*i*) for making, altering, repairing, ornamenting, finishing or packing, or otherwise treating any article or substance with a view to its use, sale, transport, delivery or disposal, or

(*ii*) for pumping oil, water or sewage, or

(*iii*) for generating, transforming or transmitting power;

(*h*) "worker" means a person employed, whether for wages or not, in any manufacturing process, or in

cleaning any part of the machinery or premises used for a manufacturing process, or in any other kind of work whatsoever incidental to or connected with the manufacturing process, or connected with the subject of the manufacturing process, but does not include any person solely employed in a clerical capacity in any room or place where no manufacturing process is being carried on;

(*j*) "factory" means any premises including the precincts thereof whereon twenty or more workers are working, or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on with the aid of power, or is ordinarily so carried on,

but does not include a mine subject to the operation of the Mysore Mines Regulation, 1906;

(*k*) "machinery" includes all plant whereby power is generated, transformed, transmitted or applied;

(*l*) "occupier" of a factory means the person who has ultimate control over the affairs of the factory,

provided that where the affairs of a factory are entrusted to a managing agent, such agent shall be deemed to be the occupier of the factory;

(*m*) where work of the same kind is carried out by two or more sets of workers working during different periods of the day, each of such sets is called a "relay," and the period or periods for which it works is called a "shift"; and

(*n*) "prescribed" means prescribed by rules made by the Government under this Regulation.

Reference to time of day.

3. References to time of day in this Regulation are references to Indian Standard Time which is five and a half hours ahead of Greenwich Mean Time.

Seasonal Factories.

4. (1) For the purposes of this Regulation, a factory which is exclusively engaged in one or more of the following manufacturing processes, namely, cotton ginning, cotton pressing, the decortication of groundnuts, the manufacture of coffee, lac, rubber, sugar (including *gur*) or tea, or any manufacturing process which is incidental to or connected with any of the aforesaid processes, is a seasonal factory;

Provided that the Government may, by notification in the official Gazette, declare any such factory in which manufacturing processes are ordinarily carried on for more than one hundred and eighty working days in the year, not to be a seasonal factory for the purposes of this Regulation.

(2) The Government may, by notification in the official Gazette, declare any specified factory in which manufacturing processes are ordinarily carried on for not more than one hundred and eighty working days in the year and cannot be carried on except during particular seasons or at times dependent on the irregular action of natural forces, to be a seasonal factory for the purposes of this Regulation.

Power to declare premises to be factories.

5. (1) Notwithstanding anything contained in clause (j) of section 2, the Government may, by notification in the official Gazette, declare any premises whereon or within the precincts whereof a manufacturing process is carried on, whether with or without the aid of power, and whereon or within the precincts whereof, on any one day of the twelve months preceding the notification, ten or more workers were employed, to be a factory for all or any of the purposes of this Regulation.

(2) A notification under sub-section (1) may be made in respect of any specified premises or class of premises.

(3) A notification under sub-section (1) shall cease to have effect in respect of any premises after the lapse of twelve months during which not more than nine workers were employed thereon on any day.

Power to declare departments to be separate factories.

6. The Government may, by order in writing, direct that the different departments or branches of a specified factory shall be treated as separate factories for all or any of the purposes of this Regulation.

Power to exempt on a change in the factory.

7. Where the Government is satisfied that, following upon a change of occupier of a factory or in the manufacturing process carried on therein, the number of workers for the time being working in the factory is less than twenty and is not likely to be twenty or more on any day during the ensuing twelve months, it may, by order in writing, exempt such factory from the operation of this Regulation:

Provided that any exemption so granted shall cease to have effect on and after any day on which twenty or more workers work in the factory.

Power to exempt during public emergency.

8. In any case of public emergency, the Government may, by notification in the official Gazette, exempt any factory from any or all of the provisions of this Regulation for such periods as it may think fit.

Notice to inspectors before commencement of work.

9. (1) Before work is begun in any factory after the commencement of this Regulation, or before work is begun in any seasonal factory each season, the occupier shall send to the Inspector a written notice containing :—

(*a*) the name of the factory and its situation,

(*b*) the address to which communications relating to the factory should be sent,

(*c*) the nature of the manufacturing processes to be carried on in the factory,

(*d*) the nature and amount of the power to be used, and

(*e*) the name of the person who shall be the manager of the factory for the purposes of this Regulation.

(2) Whenever another person is appointed as manager, the occupier shall send to the Inspector a written notice of the change, within seven days from the date on which the new manager assumes charge.

(3) During any period for which no person has been designated as manager of a factory under this section, or during which the person designated does not manage the factory, any person found acting as manager, or, if no such person is found, the occupier himself, shall be deemed to be the manager of the factory for the purposes of this Regulation.

CHAPTER II.

THE INSPECTING STAFF.

Inspectors.

10. (1) The Government may, by notification in the official Gazette, appoint such persons as it thinks fit to be Inspectors for the purposes of this Regulation within such local limits as it may assign to them respectively.

(2) The Government may, by notification as aforesaid, appoint any person to be a Chief Inspector, who shall, in addition to the powers conferred on a Chief Inspector under this Regulation, exercise the powers of an Inspector throughout the State.

(3) No person shall be appointed to be an Inspector under sub-section (1) or a Chief Inspector under sub-section (2) or, having been so appointed, shall continue to hold office, who is or becomes directly or indirectly interested in a factory or in any process or business

carried on therein or in any patent or machinery connected therewith.

(4) Every District Magistrate shall be an Inspector for his district.

(5) The Government may also, by notification as aforesaid, appoint such public officers as it thinks fit to be additional Inspectors for all or any of the purposes of this Regulation, within such local limits as it may assign to them respectively.

(6) In any area where there are more Inspectors than one, the Government may, by notification as aforesaid, declare the powers which such Inspectors shall respectively exercise, and the Inspector to whom the prescribed notices are to be sent.

(7) Every Chief Inspector and Inspector shall be deemed to be a public servant within the meaning of the Indian Penal Code, as in force in Mysore and shall be officially subordinate to such authority as the Government may specify in this behalf.

Powers of Inspector.

11. Subject to any rules made by the Government in this behalf, an Inspector may, within the local limits for which he is appointed,—

(*a*) enter with such assistants (if any), being persons in the employment of the Government or of any municipal or other public authority as he thinks fit, any place which is, or which he has reason to believe to be, used as a factory or capable of being declared to be a factory under the provisions of section 5;

(*b*) make such examination of the premises and plant and of any prescribed registers and take on the spot or otherwise such evidence of any persons as he may deem necessary for carrying out the purposes of this Regulation; and

(*c*) exercise such other powers as may be necessary for carrying out the purposes of this Regulation:

Provided that no one shall be required under this section to answer any question or give any evidence tending to criminate himself.

Certifying surgeons.

12. (1) The Government may appoint such registered medical practitioners as it thinks fit to be certifying surgeons for the purposes of this Regulation within such local limits as it may assign to them respectively.

(2) A certifying surgeon may authorise any

registered medical practitioner to exercise any of his powers under this Regulation :

Provided that a certificate of fitness for employment granted by such authorised practitioner shall be valid for a period of three months only, unless it is confirmed by the certifying surgeon himself after examination of the person concerned.

Explanation.—In this section a "registered medical practitioner" means any person registered under the Mysore Medical Registration Regulation of 1931.

CHAPTER III.

HEALTH AND SAFETY.

Cleanliness.

13. Every factory shall be kept clean and free from effluvia arising from any drain, privy or other nuisance, and shall be cleansed at such times and by such methods as may be prescribed and these methods may include lime-washing or colour-washing, painting, varnishing, disinfecting and deodorizing.

Ventilation.

14. (1) Every factory shall be ventilated in accordance with such standards and by such methods as may be prescribed.

(2) Where gas, dust or other impurity is generated in the course of work, adequate measures shall be taken to prevent injury to the health of workers.

(3) If it appears to the Inspector that in any factory gas, dust or other impurity generated in the course of work is being inhaled by the workers to an injurious extent, and that such generation or inhalation could be prevented by the use of mechanical or other devices, he may serve on the manager of the factory an order in writing, directing that mechanical or other devices for preventing such generation or inhalation shall be provided before a specified date, and shall thereafter be maintained in good order and used throughout working hours.

(4) The Government may make rules for any class of factories requiring mechanical or other devices to be provided and maintained for preventing the generation or inhalation of gas, dust or other impurities, which may be injurious to workers and specifying the nature of such devices.

Artificial humidification.

15. (1) The Government may make rules—

(*a*) prescribing standards for the cooling properties of the air in factories in which the humidity of the air is artificially increased;

(*b*) regulating the methods used for artificially increasing the humidity of the air; and

(*c*) directing prescribed tests for determining the humidity and cooling properties of the air to be carried out and recorded.

(2) In any factory in which the humidity of the air is artificially increased, the water used for the purpose shall be taken from a public supply or other source of drinking water, or shall be effectively purified before it is so used.

(3) If it appears to the Inspector that the water used in a factory for increasing humidity which is required to be effectively purified under sub-section (2) is not effectively purified, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

Cooling.

16. If it appears to the Chief Inspector or to an Inspector specially authorised in this behalf by the Government that the cooling properties of the air in any factory are at times insufficient to secure workers against injury to health or against serious discomfort, and that they can be to a great extent increased by measures which will not involve an amount of expense which is unreasonable in the circumstances, the Chief Inspector may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted and requiring them to be carried out before a specified date.

Overcrowding.

17. In order that no room in a factory shall be crowded during working hours to a dangerous extent or to an extent which may be injurious to the health of the workers, the proportion which the number of cubic feet of space in a room and the number of superficial feet of its floor area bears to the number of workers working at any time therein shall not be less than such standards as may be prescribed either generally or for the particular class of work carried on in the room.

Lighting.

18. (1) A factory shall be sufficiently lighted during all working hours.

(2) If it appears to the Inspector that any factory is not sufficiently lighted, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

(3) The Government may make rules requiring that all factories of specified classes shall be lighted in accordance with prescribed standards.

Water

19. (1) In every factory a sufficient supply of water fit for drinking shall be provided for the workers at suitable places.

(2) The supply required by sub-section (1) shall comply with such standards as may be prescribed.

(3) In every factory in which any process involving contact by the workers with injurious or abnoxious substances is carried on, a sufficient supply of water suitable for washing shall be provided for the use of workers, at suitable places and with facilities for its use, according to such standards as may be prescribed.

Latrines and urinals.

20. For every factory sufficient latrines and urinals, according to the prescribed standards, shall be provided, for male workers and for female workers separately, of suitable patterns and at convenient places as prescribed, and shall be kept in a clean and sanitary condition during all working hours.

Doors to open outwards.

21. In every factory the doors of each room in which more than twenty persons are employed shall, except in the case of sliding doors, be constructed so as to open outwards, or, where the door is between two rooms, in the direction of the nearest exit from the building, and no such door shall be locked or obstructed while any work is being carried on in the room.

Precautions against fire.

22. In every factory such precautions against fire shall be taken as may be prescribed.

Means of escape

23. (1) Every factory shall be provided with such means of escape in case of fire as can reasonably be required in the circumstances of each factory.

(2) If it appears to the Inspector that any factory is not so provided, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

(3) The means of escape shall not be obstructed while any work is being carried on in the factory.

Fencing.

24. (1) In every factory the following shall be kept adequately fenced, namely : —

(*a*) every exposed moving part of a prime mover and every flywheel directly connected to a prime mover,

(*b*) every hoist or lift, hoist-well or lift-well and every trap-door or similar opening near which any person may have to work or pass, and

(*c*) every part of the machinery which the Government may prescribe to be kept fenced.

(2) If it appears to the Inspector that any other part of the machinery in a factory is dangerous if not adequately fenced, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

(3) All fencing required by or under this section or under sub-section (1) of section 26 shall be maintained in an efficient state at all times when the workers have access to the parts required to be fenced except where they are under repair or are under examination in connection with repair or are necessarily exposed for the purpose of cleaning or lubricating or altering the gearing or arrangements of the machinery.

(4) Such further provisions as may be prescribed shall be made for the protection from danger of persons employed in attending to the machinery in a factory.

Power to require specifications of defective parts or tests of stability.

25. If it appears to the Inspector that any building or part of a building or any part of the ways, machinery or plant in a factory is in such a condition that it may be dangerous to human life or safety, he may serve on the manager of the factory an order in writing requiring him before a specified date—

(*a*) to furnish such drawings, specifications and other particulars as may be necessary to determine whether such building, ways, machinery or plant can be used with safety, or

(*b*) to carry out such tests as may be necessary to determine the strength or quality of any specified parts and to inform the Inspector of the results thereof.

Safety of buildings and machinery.

26. (1) If it appears to the Inspector that any building or part of a building or any part of the ways, machinery or plant in a factory is in such a condition that it is dangerous to human life or safety, he may serve on the manager of the factory an order in writing specifying

the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

(2) If it appears to the Inspector that the use of any building, or part of a building, or of any part of the ways, machinery or plant in a factory involves imminent danger to human life or safety, he may serve on the manager of the factory an order in writing prohibiting its use until it has been properly repaired or altered.

Restrictions on work near machinery in motion.

27. (1) No woman or child shall be allowed to clean or oil any part of the machinery of a factory while that part is in motion under power, or to work between moving parts or between fixed and moving parts of any machinery which is in motion under power.

(2) The Government may, by notification in the official Gazette, prohibit, in any specified factory or class of factories, the cleaning or oiling by any person of specified parts of machinery when these parts are in motion under power.

Power to exclude children.

28 (1) The Government may make rules prohibiting the admission to any specified class of factories, or to specified parts thereof, of children who cannot be lawfully employed therein.

(2) If it appears to the Inspector that the presence in any factory or part of a factory of children who cannot be lawfully employed therein may be dangerous to them or injurious to their health, he may serve on the manager of the factory an order in writing directing him to prevent the admission of such children to the factory or any part of it.

Prohibition of employment of women and children near cotton-openers.

29. No woman or child shall be employed in any part of a factory for pressing cotton in which a cotton-opener is at work;

Provided that, if the feed-end of a cotton-opener is in a room separated from the delivery end by a partition extending to the roof, or to such height as the Inspector may in any particular case specify in writing, women and children may be employed on the side of the partition where the feed-end is situated.

Notice of certain accidents.

30. Where in any factory an accident occurs which causes death, or which causes any bodily injury whereby any person injured is prevented from resuming his work in the factory during the forty-eight hours after the accident occurred, or which is of any nature which may be prescribed in this behalf, the manager of the factory shall send

notice thereof to such authorities, and in such form, and within such time, as may be prescribed.

Appeals.

31. (1) The manager of a factory on whom an order in writing by an Inspector has been served under the provisions of this Chapter, or the occupier of the factory, may, within thirty days of the service of the order, appeal against it to the Government, or to such authority as the Government may appoint in this behalf; and the Government or appointed authority may, subject to rules made in this behalf by the Government, confirm, modify or reverse the order.

(2) The appellate authority may, and if so required in the petition or appeal shall, hear the appeal with the aid of assessors, one of whom shall be appointed by the appellate authority and the other by such body representing the industry concerned as the Government may prescribe in this behalf:

Provided that if no assessor is appointed by such body, or if the assessor so appointed fails to attend at the time and place fixed for hearing the appeal, the appellate authority may, unless satisfied that the failure to attend is due to sufficient cause, proceed to hear the appeal without the aid of such assessor, or, if it thinks fit, without the aid of any assessor.

(3) In the case of an appeal against an order under section 16 the appellate authority shall, and in any other case except an appeal against an order under sub-section (2) of section 26 or sub-section (2) of section 28 the appellate authority may, suspend the order appealed against pending the decision of the appeal, subject however to such conditions as to partial compliance or the adoption of temporary measures as it may choose to impose in any case.

Power of Government to make rules to supplement this Chapter.

32. The Government may make rules—

(*a*) providing for any matter which according to any of the provisions of this Chapter, is or may be prescribed;

(*b*) requiring the managers of factories to maintain stores of first-aid appliances and provide for their proper custody;

(*c*) providing against danger arising from the use of mechanical transport in factories, other than railways subject to the Mysore Railways Regulation, 1894;

(*d*) prescribing the manner of the service of orders under this Chapter on managers of factories;

(*e*) regulating the procedure to be followed in presenting and hearing appeals under section 31, and the appointment and remuneration of assessors;

(*f*) regulating the exercise by Inspectors of their powers under this Chapter; and

(*g*) providing for any other matter which may be expedient in order to give effect to the provisions of this Chapter.

Additional power to make health and safety rules relating to—

shelters during rest,—

33. (1) The Government may make rules requiring that in any specified factory, wherein more than one hundred and fifty workers are ordinarily employed, an adequate shelter shall be provided for the use of workers during periods of rest, and such rules may prescribe the standards of such shelters.

rooms for children,—

(2) The Government may also make rules—

(*a*) requiring that in any specified factory, wherein more than fifty women workers are ordinarily employed, a suitable room shall be reserved for the use of children under the age of six years belonging to such women, and

(*b*) prescribing the standards for such room and the nature of the supervision to be exercised over the children therein.

certificates of stability,—

(3) The Government may also make rules, for any class of factories and for the whole or any part of Mysore requiring that work on a manufacturing process carried on with the aid of power shall not be begun in any building or part of a building erected or taken into use as a factory after the commencement of this Regulation until a certificate of stability in the prescribed form, signed by a person possessing the prescribed qualifications, has been sent to the Inspector.

hazardous operations.

(4) Where the Government is satisfied that any operation in a factory exposes any person employed upon it to a serious risk of bodily injury, poisoning or disease, it may make rules applicable to any factory or class of factories in which the operation is carried on—

(*a*) specifying the operation and declaring it to be hazardous,

(*b*) prohibiting or restricting the employment of women, adolescents or children upon the operation,

(*c*) providing for the medical examination of persons employed or seeking to be employed upon the operation and prohibiting the employment of persons not certified as fit for such employment, and

(*d*) providing for the protection of all persons employed upon the operation or in the vicinity of the place where it is carried on.

CHAPTER IV.

RESTRICTIONS ON WORKING HOURS OF ADULTS.

Weekly hours.

34. No adult worker shall be allowed to work in a factory for more than fifty-four hours in any week, or, where the factory is a seasonal one, for more than sixty hours in any week:

Provided that an adult in a non-seasonal factory engaged in work which for technical reasons must be continuous throughout the day may work for fifty-six hours in any week.

Weekly holidays.

35. (1) No adult worker shall be allowed to work in a factory on a Sunday unless—

(*a*) he has had or will have a holiday for a whole day on one of the three days immediately before or after that Sunday, and

(*b*) the manager of the factory has, before that Sunday or the substituted day, whichever is earlier,—

(i) delivered a notice to the office of the Inspector of his intention to require the worker to work on the Sunday and of the day which is to be substituted, and

(ii) displayed a notice to that effect in the factory:

Provided that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

(2) Notices given under sub-section (1) may be cancelled by a notice delivered to the office of the Inspector and a notice displayed in the factory not later than the day before the Sunday or the holiday to be cancelled, whichever is earlier.

(3) Where, in accordance with the provisions of sub-section (1), any worker works on a Sunday and has had a holiday on one of the three days immediately before it, that Sunday shall, for the purpose of calculating his weekly hours of work, be included in the preceding week.

Daily hours.

36. No adult worker shall be allowed to work in a factory for more than ten hours in any day:

Provided that a male adult worker in a seasonal factory may work for eleven hours in any day.

Intervals for rest.

37. The periods of work of adult workers in a factory during each day shall be fixed either—

(*a*) so that no period shall exceed six hours, and so that no worker shall work for more than six hours before he has had an interval for rest of at least one hour; or

(*b*) so that no period shall exceed five hours and so that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour, or for more than eight and a half hours before he has had at least two such intervals.

Spread over

38. The periods of work of an adult worker in a factory shall be so arranged that, along with his intervals for rest under section 37, they shall not spread over more than thirteen hours in any day, save with the permission of the Government and subject to such conditions as it may impose, either generally or in the case of any particular factory.

Notice of Periods for Work for Adults and preparation thereof.

39. There shall be displayed and correctly maintained in every factory in accordance with the provisions of sub-section (2) of section 76, a Notice of Periods for Work for Adults showing clearly the periods within which adult workers may be required to work.

(2) The periods shown in the Notice required by sub-section (1) shall be fixed beforehand in accordance with the following provisions of this section and shall be such that workers working for those periods would not be working in contravention of any of the provisions of sections 34, 35, 36, 37 and 38.

(3) Where all the adult workers in a factory are required to work within the same periods, the manager of the factory shall fix those periods for such workers generally.

(4) Where all the adult workers in a factory are not required to work within the same periods, the manager

of the factory shall classify them into groups according to the nature of their work.

(5) For each group which is not required to work on a system of shifts, the manager of the factory shall fix the periods within which the group may be required to work.

(6) Where any group is required to work on a system of shifts and the relays are not to be subject to predetermined periodical changes of shift, the manager of the factory shall fix the periods within which each relay of the group may be required to work.

(7) Where any group is to work on a system of shifts and the relays are to be subject to predetermined periodical changes of shifts, the manager of the factory shall draw up a scheme of shifts whereunder the periods within which any relay of the group may be required to work and the relay which will be working at any time of the day shall be known for any day.

(8) The Government may make rules prescribing forms for the Notice of Periods for Work for Adults and the manner in which it shall be maintained.

Copy of Notice of Periods for Work to be sent to Inspector.

40. (1) A copy of the Notice referred to in sub-section (1) of section 39 shall be sent in duplicate to the Inspector within fourteen days after the commencement of this Regulation or, if the factory begins work after the commencement of this Regulation, before the day on which it begins work.

(2) Any proposed change in the system of work in a factory which will necessitate a change in the Notice shall be notified to the Inspector in duplicate before the change is made, and, except with the previous sanction of the Inspector, no such change shall be made until one week has elapsed since the last change.

Register of Adult Workers.

41. (1) The manager of every factory shall maintain a Register of Adult Workers showing—

(*a*) the name of each adult worker in the factory,

(*b*) the nature of his work,

(*c*) the group, if any, in which he is included,

(*d*) where his group works on shifts, the relay to which he is allotted, and

(*e*) such other particulars as may be prescribed :

Provided that, if the Inspector is of opinion that any muster roll or register maintained as part of the routine of a factory gives in respect of any or all of the workers

in the factory the particulars required under this section, he may, by order in writing, direct that such muster roll or register shall to the corresponding extent be maintained in place of and be treated as the Register of Adult Workers in that factory:

Provided further that, where the Government is satisfied that the conditions of work in any factory or class of factories are such that there is no appreciable risk of contravention of the provisions of this Chapter in the case of that factory or factories of that class, as the case may be, the Government may, by written order, exempt, on such conditions as it may impose, that factory or all factories of that class, as the case may be, from the provisions of this section.

(2) The Government may make rules prescribing the form of the Register of Adult Workers, the manner in which it shall be maintained and the period for which it shall be preserved.

Hours of work to correspond with Notice under section 39 and Register under section 41.

42. No adult worker shall be allowed to work otherwise than in accordance with the Notice of Periods for Work for Adults displayed under sub-section (1) of section 39 and the entries made beforehand against his name in the Register of Adult Workers maintained under section 41.

Power to make rules exempting from restrictions.

43. (1) The Government may make rules defining the persons who hold positions of supervision or management or are employed in a confidential position in a factory, and the provisions of this Chapter other than the provisions of clause (b) of sub-section (1) of section 45 and the provisos to that sub-section, shall not apply to any person so defined.

(2) The Government may make rules for adult workers providing for the exemption, to such extent and subject to such conditions, as may be prescribed in such rules —

(*a*) of workers engaged on urgent repairs—from the provisions of sections 34, 35, 36, 37 and 38;

(*b*) of workers engaged in work in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the factory—from the provisions of sections 34, 36 37 and 38;

(*c*) of workers engaged in work which is necessarily so intermittent that the intervals during

which they do not work while on duty ordinarily amount to more than the intervals for rest required under section 37—from the provisions of sections 34, 36, 37 and 38;

(*d*) of workers engaged in any work which for technical reasons must be carried on continuously throughout the day from the provisions of sections 34, 35, 36, 37 and 38;

(*e*) of workers engaged in making or supplying articles of prime necessity which must be made or supplied every day—from the provisions of section 35;

(*f*) of workers engaged in a manufacturing process which cannot be carried on except during fixed seasons—from the provisions of section 35;

(*g*) of workers engaged in a manufacturing process which cannot be carried on except at times dependent on the irregular action of natural forces—from the provisions of section 35 and section 37; and

(*h*) of workers engaged in engine-rooms or boiler-houses—from the provisions of section 35.

(3) Rules made under sub-section (2) providing for any exemption may also provide for any consequential exemption from the provisions of sections 39 and 40 which the Government may deem to be expedient, subject to such conditions as it may impose.

(4) In making rules under this section the Government shall prescribe the maximum limits for the weekly hours of work for all classes of workers, and any exemption given, other than an exemption under clause (*a*) of sub-section (2), shall be subject to such limits.

(5) Rules made under this section shall remain in force for not more than three years.

Power to make orders exempting from restrictions.

44. (1) Where the Government is satisfied that, owing to the nature of the work carried on or to other circumstances, it is unreasonable to require that the periods of work of any adult workers in any factory or class of factories should be fixed beforehand, it may, by written order, relax or modify the provisions of sections 39 and 40 in respect of such workers to such extent and in such manner as it may think fit, and subject to such conditions as it may deem expedient to ensure control over periods of work.

(2) The Government, or subject to the control of the Government the Chief Inspector, may, by written order, exempt, on such conditions as it or he may deem expedient, any or all of the adult workers in any factory, or group or class of factories, from any or all of the provisions of sections 34, 35, 36, 37, 38, 39 and 40, on the ground that the exemption is required to enable the factory or factories to deal with an exceptional press of work.

(3) Any exemption given under sub-section (2) in respect of weekly hours of work shall be subject to the maximum limits prescribed under sub-section (4) of section 43.

(4) An order under sub-section (2) shall remain in force for such period as it may specify, but in no case for more than two months from the date on which notice thereof is given to the manager of the factory.

Further restrictions on the employment of women.

45. The provisions of this Chapter shall, in their application to women workers in factories, be supplemented by the following further restrictions, namely :—

(*a*) no exemption from the provisions of section 36 may be granted in respect of any woman ; and

(*b*) no woman shall be allowed to work in a factory except between 6 A.M. and 7 P.M.

Provided that the Government may, by notification in the official Gazette, in respect of any class or classes of factories and for the whole year or any part of it, vary the limits laid down in clause (*b*) to any span of thirteen hours between 5 A.M. and 7 P.M.

Provided further that, in respect of any seasonal factory or class of seasonal factories in a specified area, the Government may make rules imposing a further restriction by defining the period or periods of the day, within which women may be allowed to work, such that the period or periods so defined shall lie within the span fixed by clause (*b*) or under the above proviso and shall not be less than ten hours in the aggregate.

Special provision for night shifts.

46. Where a worker works on a shift which extends over midnight, the ensuing day for him shall be deemed to be the period of twenty-four hours beginning when such shift ends, and the hours he has worked after midnight shall be counted towards the previous day.

Provided that the Government may, by order in writing, direct that in the case of any specified factory or any specified class of workers therein the ensuing day

shall be deemed to be the period of twenty-four hours beginning when such shift begins and that the hours worked before mid-night shall be counted towards the ensuing day.

Extra pay for Overtime.

47. (1) Where a worker in any factory works for more than sixty hours in any week,

or where a worker in a factory other than a seasonal factory works for more than ten hours in any day,

he shall be entitled in respect of the overtime worked to pay at the rate of one and a half times his ordinary rate of pay.

(2) Where a worker in a factory other than a seasonal factory works for more hours in any week than are permitted under section 34, he shall be entitled, in respect of the overtime worked excluding any overtime in respect of which he is entitled to extra pay under sub-section (1), to pay at the rate of one and a quarter times his ordinary rate of pay.

(3) Where any workers are paid on a piece rate basis, the Government in consultation with the industry concerned may for the purposes of this section fix time rates as nearly as possible equivalent to the average rate of earnings of those workers, and the rates so fixed shall be deemed to be the ordinary rates of pay of those workers for the purposes of this section.

(4) The Government may prescribe the registers that shall be maintained in a factory for the purpose of securing compliance with the provisions of this section.

Restriction on double employment.

48. No adult worker shall be allowed to work in any factory on any day on which he has already been working in any other factory, save in such circumstances as may be prescribed.

Control of overlapping shifts.

49. The Government may make rules providing that in any specified class or classes of factories work shall not be carried on by a system of shifts so arranged that more than one relay of workers is engaged in work of the same kind at the same time, save with the permission of the Government and subject to such conditions as it may impose, either generally or in the case of any particular factory.

CHAPTER V.

SPECIAL PROVISIONS FOR ADOLESCENTS AND CHILDREN.

Prohibition of employment of young children.

50. No child who has not completed his twelfth year shall be allowed to work in any factory.

Non-adult workers to carry tokens giving reference to certificates of fitness.

51. No child who has completed his twelfth year and no adolescent shall be allowed to work in any factory unless—

(*a*) a certificate of fitness granted to him under section 52 is in the custody of the manager of the factory, and

(*b*) he carries while he is at work a token giving a reference to such certificate.

Certificates of fitness.

52. (1) A certifying surgeon shall, on the application of any young person who wishes to work in a factory, or of the parent or guardian of such person, or of the manager of the factory in which such person wishes to work, examine such person and ascertain his fitness for such work.

(2) The certifying surgeon, after examination, may grant to such person, in the prescribed form —

(*a*) a certificate of fitness to work in a factory as a child, if he is satisfied that such person has completed his twelfth year, that he has attained the prescribed physical standards (if any), and that he is fit for such work; or

(*b*) a certificate of fitness to work in a factory as an adult, if he is satisfied that such person has completed his fifteenth year and is fit for a full day's work in a factory.

(3) A certifying surgeon may revoke any certificate granted under sub-section (2), if in his opinion, the holder of it is no longer fit to work in the capacity stated therein in a factory.

(4) Where a certifying surgeon or a practitioner authorised under sub-section (2) of section 12 refuses to grant a certificate or a certificate of the kind requested, or revokes a certificate, he shall, if so requested by any person who could have applied for the certificate, state his reasons in writing for so doing.

Effect of certificate granted to adolescent.

53. (1) An adolescent who has been granted a certificate of fitness to work in a factory as an adult, under clause (*b*) of sub-section (2) of section 52, and who,

while at work in a factory, carries a token giving reference to the certificate, shall be deemed to be an adult for all the purposes of Chapter IV.

(2) An adolescent who has not been granted a certificate of fitness to work in a factory as an adult, under sub-section (2) of section 52, shall, notwithstanding his age, be deemed to be a child for the purposes of this Regulation.

Restrictions on the working hours of a child.

54. (1) No child shall be allowed to work in a factory for more than five hours in any day.

(2) The hours of work of a child shall be so arranged that they shall not spread over more than seven and a half hours in any day.

(3) No child shall be allowed to work in a factory except between 6 A.M. and 7 P.M.

Provided that the Government may, by notification in the official Gazette, in respect of any class or classes of factories and for the whole year or any part of it, vary these limits to any span of thirteen hours between 5 A.M. and 7 P.M.

(4) The provisions of section 35 shall apply also to child workers, but no exemption from the provisions of that section may be granted in respect of any child.

(5) No child shall be allowed to work in any factory on any day on which he has already been working in another factory.

Notice of Periods for Work for Children.

55. (1) There shall be displayed and correctly maintained in every factory, in accordance with the provisions of sub-section (2) of section 76, a Notice of Periods for Work for Children, showing clearly the periods within which children may be required to work.

(2) The periods shown in the Notice required by sub-section (1) shall be fixed beforehand in accordance with the method laid down for adults in section 39 and shall be such that children working for those periods would not be working in contravention of section 54.

(3) The provisions of section 40 shall apply also to the Notice of Periods for Work for Children.

(4) The Government may make rules, prescribing forms for the Notice of Periods for Work for Children and the manner in which it shall be maintained.

Register of Child Workers

56. (1) The manager of every factory in which children are employed shall maintain a Register of Child Workers showing—

(*a*) the name of each child worker in the factory,
(*b*) the nature of his work,
(*c*) the group, if any, in which he is included,
(*d*) where his group works on shifts, the relay to which he is allotted.
(*e*) the number of his certificate of fitness granted under section 52, and
(*f*) such other particulars, as may be prescribed.

(2) The Government may make rules prescribing the form of the Register of Child Workers, the manner in which it shall be maintained, and the period for which it shall be preserved.

Hours of work to correspond with Notice and Register.

57. No child shall be allowed to work otherwise than in accordance with the Notice of Periods for Work for Children displayed under sub-section (1) of section 55 and the entries made beforehand against his name in the Register of Child Workers maintained under sub-section (1) of section 56.

Power to require medical examination.

58. Where an Inspector is of opinion—

(*a*) that any person working in a factory without a certificate of fitness is a child or an adolescent, or

(*b*) that a child or adolescent working in a factory with a certificate is no longer fit to work in the capacity stated therein,

he may serve on the manager of the factory a notice requiring that such person, or that such child or adolescent, as the case may be, shall be examined by a certifying surgeon or by a practitioner authorised under sub-section (2) of section 12, and such person, child or adolescent shall not, if the Inspector so directs, be allowed to work in any factory until he has been so examined and has been granted a certificate of fitness or a fresh certificate of fitness, as the case may be.

Power to make rules.

59. (1) The Government may make rules—

(*a*) prescribing the forms of certificates of fitness to be granted under section 52, providing for the grant of duplicates in the event of loss of the original certificates, and fixing the fees which may be charged for such certificates and such duplicates;

(*b*) prescribing the physical standards to be attained by children and adolescents;

(*c*) regulating the procedure of certifying surgeons under this Chapter, and specifying other duties which they

may be required to perform in connection with the employment of children and adolescents in factories; and

(*d*) providing for any other matter which may be expedient in order to give effect to the provisions of this Chapter.

(2) The Government may also make rules requiring that in any specified factory wherein more than fifty children are ordinarily employed, provision shall be made for the education of such childern in such subjects and up to such standards, as may be prescribed or approved by the Government.

CHAPTER VI.

PENALTIES AND PROCEDURE.

Penalty for contravention of Regulation and rules.

60. If in any factory—

(*a*) there is any contravention—

(*i*) of any of the provisions of sections 13 to 29 inclusive, or

(*ii*) of any order made under any of the said sections, or

(*iii*) of any of the said sections read with rules made in pursuance thereof under clause (a) of section 32, or

(*iv*) of any rule made under any of the said sections or under clause (*b*), clause (*c*), or clause (*g*) of section 32 or section 33, or

(*v*) of any condition imposed under sub-section (3) of section 31, or

(*b*) any person is allowed to work in contravention—

(*i*) of any of the provisions of sections 34 to 38 inclusive, 42, 45 and 48, or

(*ii*) of any rule made under any of the said sections, or under section 49, or

(*iii*) of any condition attached to any exemption granted under section 43 or section 44 or to any permission granted under section 38 or section 49, or

(*c*) there is any contravention of any of the provisions of sections 39 to 41 inclusive or of any rule made under section 39, section 41 or section 47, or of any condition attached to any exemption granted under

section 41 or to any modification or relaxation made under section 44, or

(*d*) any person is not paid any extra pay to which he is entitled under the provisions of section 47, or

(*e*) any adolescent or child is allowed to work in contravention of any of the provisions of sections 50, 51, 54, 55, 57 and 58, or

(*f*) there is any contravention of section 55 or section 56 or of any rules made under either of these sections, or under clause (*d*) of section 59,

or (*g*) there is any contravention of any rules made under sub-section (2) of section 59,

the manager and occupier of the factory shall each be punishable with fine which may extend to five hundred rupees:

Provided that if both the manager and the occupier are convicted, the aggregate of the fines inflicted in respect of the same contravention shall not exceed this amount.

Enhanced penalty in certain cases after previous conviction.

61. If any person who has been convicted of any offence punishable under clauses (*b*) to (*f*) inclusive of section 60 is again guilty of an offence involving a contravention of the same provision, he shall be punishable on the second conviction with fine which may extend to seven hundred and fifty rupees and shall not be less than one hundred rupees, and if he is again so guilty, shall be punishable on the third or any subsequent conviction with fine which may extend to one thousand rupees and shall not be less than two hundred and fifty rupees:

Provided that for the purposes of this section no cognizance shall be taken of any conviction made more than two years before the commission of the offence which is being punished:

Provided further that the Court, if it is satisfied that there are exceptional circumstances warranting such a course, may, after recording its reasons in writing, impose a smaller fine than is required by this section.

Penalty for failure to give notice of commencement of work or of change of manager.

62. An occupier of a factory who fails to give any notice required by sub-section (1) or sub-section (2) of section 9 shall be punishable with fine which may extend to five hundred rupees.

Penalty for obstructing Inspector.

63. Whoever wilfully obstructs an Inspector in the exercise of any power under section 11, or fails to produce

on demand by an Inspector any registers or other documents in his custody kept in pursuance of this Regulation or of any of the rules made thereunder, or conceals or prevents any worker in a factory from appearing before or being examined by an Inspector, shall be punishable with fine which may extend to five hundred rupees.

Penalty for failure to give notice of accidents.

64. A manager of a factory who fails to give notice of an accident, as required under section 30, shall be punishable with fine which may extend to five hundred rupees.

Penalty for failure to make returns.

65. If in respect of any factory any return is not furnished as required under section 77, the manager and the occupier of the factory shall each be liable to fine which may extend to five hundred rupees.

Provided that if both the manager and the occupier are convicted, the aggregate of the fines inflicted shall not exceed this amount.

Penalty for smoking or using naked light in vicinity of inflammable material.

66. Whoever smokes, or uses a naked light or causes or permits any such light to be used in the vicinity of any inflammable material in a factory shall be punishable with fine which may extend to five hundred rupees.

Exception.—This provision does not extend to the use, in accordance with such precautions as may be prescribed, of a naked light in the course of a manufacturing process.

Penalty for using false certificate.

67. Whoever knowingly uses or attempts to use, as a certificate granted to himself under section 52, a certificate granted to another person under that section, or who, having procured such a certificate, knowingly allows it to be used, or an attempt to use it to be made, by another person shall be punishable with fine which may extend to twenty rupees.

Penalty on guardian for permitting double employment of a child.

68. If a child works in a factory on any day on which he has already been working in another factory, the parent or guardian of the child or the person having custody of or control over him, or obtaining any direct benefit from his wages, shall be punishable with fine which may extend to twenty rupees, unless it appears to the Court that the child so worked without the consent, connivance or wilful default of such parent, guardian or person.

Penatly for failure to display certain notices.

69. A manager of a factory who fails to display the notice required under sub-section (1) of section 76 or by any rule made under this Regulation or to display or

maintain any such notice as required by sub-section (2) of that section, shall be punishable with fine which may extend to five hundred rupees.

Determination of "occupier" for purposes of this Chapter.

70. (1) Where the occupier of a factory is a firm or other association of individuals, any one of the individual partners or members thereof may be prosecuted and punished under this Chapter for any offence for which the occupier of the factory is punishable.

Provided that the firm or association may give notice to the Inspector that it has nominated one of its members who is resident in Mysore to be the occupier of the factory for the purposes of this Chapter, and such individual shall so long as he is so resident be deemed to be the occupier for the purposes of this Chapter until further notice cancelling his nomination is received by the Inspector or until he ceases to be a partner or member of the firm or association.

(2) Where the occupier of a factory is a company, any one of the directors thereof, or, in the case of a private company, any one of the shareholders thereof, may be prosecuted and punished under this Chapter for any offence for which the occupier of the factory is punishable.

Provided that the company may give notice to the Inspector that it has nominated a director, or in the case of a private company, a shareholder, who is resident in either case in Mysore, to be the occupier of the factory for the purposes of this Chapter, and such director or shareholder shall so long as he is so resident be deemed to be the occupier of the factory for the purposes of this Chapter until further notice cancelling his nomination is received by the Inspector or until he ceases to be a director or shareholder.

Exemption of occupier or manager from liability in certain cases.

71. (1) Where the occupier or manager of a factory is charged with an offence against this Regulation, he shall be entitled upon complaint duly made by him to have any other person whom he charges as the actual offender brought before the Court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the occupier or manager of the factory proves to the satisfaction of the Court—

(*a*) that he has used due diligence to enforce the execution of this Regulation, and

(*b*) that the said other person committed the offence in question without his knowledge, consent or connivance,

that other person shall be convicted of the offence and shall be liable to the like fine as if he were the occupier or manager, and the occupier or manager shall be discharged from any liability under this Regulation.

(2) When it is made to appear to the satisfaction of the Inspector at any time prior to the institution of the proceedings :—

(*a*) that the occupier or manager of the factory has used all due diligence to enforce the execution of this Regulation, and

(*b*) by what person the offence has been committed, and

(*c*) that it has been committed without the knowledge, consent or connivance of the occupier or manager, and in contravention of his orders,

the Inspector shall proceed against the person whom he believes to be the actual offender without first proceeding against the occupier or manager of the factory, and such person shall be liable to the like fine as if he were the occupier or manager.

Presumption as to employment.

72. If a child over the age of six years is found inside any part of a factory in which children are working, he shall, until the contrary is proved, be deemed to be working in the factory.

Evidence as to age.

73. (1) When an act or omission would, if a person were under or over a certain age, be an offence punishable under this Regulation and such person is in the opinion of the Court apparently under or over such age, the burden shall be on the accused to prove that such person is not under or over such age.

(2) A declaration in writing by a certifying surgeon relating to a worker that he has personally examined him and believes him to be under or over the age set-forth in such declaration shall, for the purposes of this Regulation, be admissible as evidence of the age of that worker.

Cognizance of offences.

74. (1) No prosecution under this Regulation, except a prosecution under section 66, shall be instituted except by or with the previous sanction of the Inspector.

(2) No Court inferior to that of a Magistrate of the first class shall try any offence against this Regulation or any rule or order made thereunder, other than an offence under section 66 or section 67.

Limitation of prosecutions.

75. No Court shall take cognizance of any offence under this Regulation or any rule or order thereunder, other than an offence under section 62 or section 64, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed;

Provided that when the offence consists of disobeying a written order made by an Inspector, complaint thereof may be made within twelve months of the date on which the offence is alleged to have been committed.

CHAPTER VII.

SUPPLEMENTAL.

Display of factory notices.

76. (1) In addition to the notices required to be displayed in any factory by this Regulation or the rules made thereunder, there shall be displayed in every factory a notice containing such abstracts of this Regulation and of the rules made thereunder, in English and in the vernacular of the majority of the workers, as the Government may prescribe.

(2) All notices required to be displayed in a factory shall be displayed at some conspicuous place at or near the main entrance to the factory, and shall be maintained in a clean and legible condition.

Power of Government to make rules.

77. The Government may make rules requiring occupiers or managers of factories to submit such returns, occasional or periodical, as may, in its opinion, be required for the purposes of this Regulation.

Publication of rules.

78. (1) All rules made under this Regulation shall be subject to the condition of previous publication, and the date to be specified under clause (3) of section 23 of the General Clauses Regulation 1899 shall not be less than three months from the date on which the draft of the proposed rules was published.

(2) All such rules shall be published in the official Gazette and shall, unless some later date is appointed, come into force on the date of such publication.

Application to Government factories.

79. This Regulation shall apply to factories belonging to the Government.

Protection to persons acting under this Regulation.

80. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Regulation.

Repeal and savings.

81. The enactments mentioned in the Schedule are hereby repealed to the extent specified in the fourth column thereof.

Provided that anything done under the said enactments which could have been done under this Regulation if it had then been in force shall be deemed to have been done under this Regulation.

The Schedule

ENACTMENTS REPEALED.

(*See section 81.*)

Year	No.	Short Title	Extent of repeal
1914	III	The Mysore Factories Regulation	The whole
1925	VI	The Mysore Factories (Amendment) Regulation	

MIRZA M. ISMAIL,
Dewan.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 5407—Cts. 118-35-4, dated Bangalore, the 14—15th February 1936.

In exercise of the powers conferred by Section 77 of the Mysore Village Courts Regulation VII of 1913 as amended by Regulation IX of 1920, the Government of His Highness the Maharaja of Mysore are pleased to prescribe that the following fees shall be leviable in the form of Court fee lables for the execution of decrees and service of processes of the Village Courts in the State :—

(1) For every application for execution of a decree presented to a Village Court	3 annas.
(2) For each Notice ...	1 anna (if the person to be served with the said notice resides within the jurisdiction of the Court issuing the notice).
	2 annas (if the person to be served with the said notice resides outside the jurisdiction of the Court issuing the notice).
(3) Proclamation of sale ...	2 annas.
(4) Warrant of attachment ...	5 annas.
(5) Warrant of sale ...	2 annas.
(6) (*a*) Warrant of delivery of possession of property if no attachment has taken place	5 annas.
(*b*) Warrant of delivery of possession of property if the attachment has taken place. ...	2 annas.

By Order,
A. V. RAMANATHAN,
Chief Secretary to Government.

L. 6125—*Ml.* 160-34-4, *dated* 12*th February* 1936.

In supersession of the rules in force on the subject and in exercise of the powers vested in them by and under sections 61, 62, 63, 64, 65, 66, 70 and 106 (2) (*g*) of the Mysore Minor Municipalities Regulation, 1933, and all other powers in this behalf, the following rules for the imposition, assessment and collection of taxes in Minor Municipalities are made by the Government :—

RULES.

CHAPTER I.

(*a*) These rules shall be called "Rules for taxation in Minor Municipalities in the State."

(*b*) "Deputy Commissioner" shall mean the Deputy Commissioner of the District within which the Minor Municipality is situated.

(*c*) "Section" means a section of the Mysore Minor Municipalities Regulation, 1933.

CHAPTER II.

Levy of Taxes.

1. The rates of taxes or amounts of taxes leviable under section 61 of the Regulation shall be fixed by the municipal council and shall not exceed those noted in schedules I to V of these rules.

2. When a municipal council proposes to levy a tax under sections 61 and 62 of the Regulation or when it proposes to enhance the rate of any tax, for the time being in force, it shall publish the proposal by beat of drum in the municipality and by means of a notice affixed in the municipal office, specify a date not earlier than one month from the date of such publication on which the municipal council will take the proposal into consideration.

3. Any person objecting to the imposition of a tax or to the class or classes of persons or property to be made liable thereto or to any enhancement of the rate, may make any objection or suggestion in writing on or before the date specified in the notice published under the last preceding rule.

4. The municipal council shall consider all objections or suggestions made under rule 3 on the date fixed and on the following days, if necessary, and may approve of the proposal with or without modifications, provided that if the municipal council considers that the rates of tax, cess or fee originally proposed should be enhanced, fresh notice shall be given before the enhancement is finally decided on. The resolution of the municipal council shall be forwarded to the Deputy Commissioner, who shall obtain the sanction of Government in cases falling under section 62.

5. The procedure prescribed in rules 2, 3 and 4 *supra* shall be observed *mutatis mutandis* whenever it is proposed under section 64 of the Regulation to abolish, suspend or reduce the tax or taxes levied in the municipality.

6. (1) No tax, cess or fees other than a special sanitary cess or water tax shall, without the express consent of the Government, be leviable in respect of—

(i) any building or part of any building belonging to the Government and used solely for public purposes and not used or intended to be used for residential purposes or for purposes of profit;

(ii) any vehicle or other property belonging to the Government and used solely for public purposes and not used or intended to be used for purposes of profit;

(iii) any building or part of a building used as a place of public worship or used for a charitable purpose;

(2) No tax of any kind shall be leviable in respect of any building or part of a building used or intended for the occupation of His Highness the Maharaja or His Highness the Yuvaraja or for the location of the establishments of His Highness the Maharaja or His Highness the Yuvaraja, or in respect of any vehicle, animal or other property belonging to His Highness the Maharaja or His Highness the Yuvaraja;

(3) No tax of any kind shall be leviable in respect of any building or part of a building or property or vehicle belonging to the Sringeri Mutt and to the Jahagirdar of Yelandur in the Sringeri and Yelandur municipalities, respectively.

(4) No toll shall be leviable in respect of any vehicle used for the passage of troops or the conveyance of the property of His Highness the Maharaja or His Highness the Yuvaraja or of Government stores or of any other Government property or for the passage of Military or Police Officers on duty or the passage of conveyance of any person or property in their custody;

(5) No tax shall be levied in respect of the properties and individuals specified in column 3 of schedules I, II and IV.

7. The Government may, by order, grant and define other exemptions in exceptional cases from payment of taxes or tolls or other fees imposed under the Regulation.

CHAPTER III.

LEVY OF OCTROI.

Section 61 (1) (a).

1. The local limits for collecting octroi duty shall be the municipal limits or boundaries.

2. No articles liable to octroi duty shall be brought within these limits except by one of the roads specified by the municipal council.

3. All persons bringing into or receiving from beyond the octroi limits any such articles, shall exhibit the same at the octroi office to allow of their being duly inspected by the octroi staff.

4. Every person bringing dutiable articles into the town shall report the fact at the octroi office.

5. The collection of octroi shall be done departmentally at rates not exceeding those shown in schedule I.

6. A table showing the octroi duty leviable on various articles shall be exhibited at the octroi office in a conspicuous part thereof.

7. When the goods are brought to the octroi office, they may be unloaded and weighed or counted by the octroi staff. Upon ascertainment of the amount of octroi payable on the goods, the importer shall either pay the

amount due and receive a permit for the removal of goods showing the quantity or weight of goods, the amount paid in respect thereof and the date of payment or deposit of the same in the bonded warehouse. In case the importer wishes to export the goods at once, he shall do so only after obtaining an export pass and subjecting the goods to the escort of an octroi subordinate.

8. With a view to the appraisement of the value or the quantity of goods at the time of the levy of the octroi, the importer may be called upon to produce the invoice of the goods for the inspection of the officer in charge of the octroi collection. Should he fail to produce the same, the value or quantity of the goods shall be taken at so much as the aforesaid officer may deem fit and octroi levied accordingly.

BONDED WAREHOUSE.

9. The municipal council may provide a bonded warehouse for the custody of goods which may be deposited under rule 7 *supra*.

10. It shall be open for transaction of business from 7 A.M. to 10 A.M. and 1 P.M. to 5 P.M. daily, except on Sundays and holidays authorised by the President. Arrangements shall, however, be made by the officer in charge of the koti for dealing with perishable articles such as betel leaves, etc., on such days and also other articles under special circumstances.

11. Any importer depositing goods in the bonded warehouse shall, unless the octroi koti has, previous to weighing, counting or appraising, ascertained the amount of octroi payable thereon, give a declaration in the form appended. (Appendix A.)

12. A receipt in form M. A. M. 45 shall be given by the officer in charge of octroi koti for all goods deposited in the bonded warehouse and a register of all such goods shall be maintained in form M. A. M. 46. It is the duty of the depositor to obtain a receipt for the articles deposited by him and the octroi department is not responsible for any goods left at the premises and not covered by the receipt.

13. The receipt given by the octroi department for depositing goods should be returned before taking delivery of the articles to which it refers.

14. If the depositor does not himself take delivery of the articles deposited in the bonded warehouse, he must

endorse on the receipt a request for delivery to the person to whom he wishes it to be made and if the receipt is not produced, the delivery of the goods may, at the discretion of the officer in charge of the koti, be withheld until the person entitled in his opinion to receive the same has given an indemnity bond to the satisfaction of the said officer.

15. Any person who has deposited goods in the bonded warehouse may break bulk or change the packing thereof on application to the officer in charge or may, on paying full dues thereon, import such goods into the municipal limits covered by a permit or may export such goods free, covered by an export pass in form M. A. M. 44, subject to the escort of an octroi subordinate, provided that new packages covered by such pass shall, if possible and before they are taken from the warehouse, be stamped by the officer in charge so as to show that they are under bond. The export pass shall be in duplicate, the original being retained by the officer and the duplicate delivered to the exporter.

16. No goods shall be allowed to leave the bonded warehouse until storage fees have been paid thereon under the following rules:—

(*i*) Goods shall be allowed to remain 24 hours free of charge.

(*ii*) After that period, rates as noted below shall be charged for a week or portion thereof:—

(*a*)	Articles other than cloth bundles.	Six pies per bag per day.
(*b*)	Cloth bundles ...	Two annas per bundle per day.
(*c*)	Kerosene oil and petrol	One pie per tin per day.

(*iii*) Double these rates shall be charged after a week, provided that the President may, in his discretion, allow a reduction in or exemption from such penal rates.

Note.—The storage fees are distinct from the octroi levied on goods.

17. All goods, remaining uncleared or unclaimed for a longer period than three months, shall be sold to the highest bidder in public auction, provided that before selling such goods, notice of the fact shall be pasted at least seven days before the date of such sale at the bonded warehouse and provided that the goods shall be sold earlier when the storage fees are likely to exceed their value.

In the case of perishables, the goods shall be sold after 48 hours of their receipt with or without any notice of sale being given to the importer.

18. The municipal council shall not be responsible for any damage that may be caused to goods deposited in the bonded warehouse while such goods are being passed into or out of the warehouse or while they remain therein, unless such damage is proved to have been caused by the wilful neglect of the warehouse-keeper or other person charged with the safe custody of goods.

19. When any goods are sold under rule 17, the sale proceeds shall be credited to the municipal funds in payment of duty and storage fees due in respect thereof, provided that if the amount realised by the sale exceeds the amount so due, the balance shall be kept in deposit for six months and any claim for such balance received during that time shall be duly considered by the President. At the expiry of six months and after all claims received during that period have been duly disposed of, the balance shall be credited to the municipal funds. No claim shall be admitted after the said period of six months except with the special permission of the municipal council.

REFUNDS.

20. Refund of octroi duty shall not be granted except in the case of cloths which are exported within three months of the date of their importation. Refunds shall not be given if the sum claimed be less than one rupee.

21. Any person claiming refund under the above rule shall produce the goods to be exported at the octroi office together with the original receipt for octroi duty paid, thereon and an application for refund in form M. A. M. 42 prepared in duplicate mentioning the circumstances that necessitated the exportation of goods and giving such particulars as will be prescribed in this behalf by the President.

22. The officer in charge of the bonded warehouse on being satisfied as to the identity of goods produced with those for which receipt has been granted and the validity of the claim shall endorse the copies of the application with an export pass and keeping one copy in the office shall deliver the other copy to the applicant, and the claim shall be forwarded to the President or Vice President for order of refund.

GENERAL.

23. (1) The municipal officers only, under the orders of the President or Vice-President, may inspect the premises

at all reasonable hours to see if there are any smuggled goods and the owners or occupiers thereof shall be bound to allow such inspection.

(2) Any such officer if he has reason to believe that any such article on which octroi has not been paid is kept or concealed in any premises may, after obtaining the warrant of a Magistrate, enter and search at any time such premises, and if he finds any such article on which octroi has not been paid, he may seize any such article and arrest any person in possesion of the same. Provided that any article or person so seized or arrested shall be produced before a Magistrate exercising jurisdiction within the municipality within 24 hours from the time of such seizure or arrest.

24. The President of the municipal council is empowered to award to any person who gives information leading to the detection of the offence of smuggling goods liable to octroi duty, a reward of one half of the fine recovered and in special cases in which conviction is not secured but duty is recovered, half the amount of such duty.

25. Importers of dutiable articles shall, if called upon by requisition in writing signed by the President or Vice-President within one year of import, account for the articles received by them by producing either a permit or receipt obtained in token of payment of octroi duty or an export pass in proof of having exported the whole or part of articles so received or otherwise.

26. Any breach of the above rule 25 will render the importer liable to punishment with a fine which may extend to Rs. 50. Any person importing or exporting dutiable articles, who infringes rules 2, 3, 4, 7 and 23 shall be liable, on conviction before a Magistrate, to a fine not exceeding Rs. 100 or ten times the value of octroi duty on such goods, whichever may be greater.

27. Notwithstanding any thing contained in rule 26 *supra*, the President may compound in cases wherein any person is concerned who with the intention to defraud the municipal council causes or abets the introduction of or himself introduce or attempts to introduce within the octroi limits of the municipality any (such) goods upon which payment of the octroi due on such introduction has neither been made nor tendered, by recovering ten times the value of such octroi or fifty rupees, whichever may be greater.

Special rules when goods are received by Railway.

28. When an importer receives the Railway receipt of goods consigned to him by Railway, he shall take or send it with the invoice, or in the absence of the latter, with a written declaration of the details of the consignment to the octroi office, where, if the goods are found liable to the payment of octroi, the receipt and the invoice or declaration shall be abstracted into a railway receipt and invoice register to be kept in form 34 M. A. M. The date shall be written across the page of the register before each day's entries have begun. The Railway receipt and invoice shall be stamped with a municipal stamp and returned to the importer to enable him to obtain the goods from the Railway. The declaration shall be stamped and filed.

29. The Railway receipt and invoice register shall be examined and checked periodically by one of the members of the municipal council, who shall, at the time, compare some of the declarations with it.

30. The registration of the consignment having been completed as laid down in rule 28, the officer in charge of the octroi koti shall determine and recover the octroi leviable and shall grant a pass to the importer in form 28 M. A. M.

CHAPTER IV.

TAX ON BUILDINGS AND LANDS.

[*Section 61 (1) (b).*]

1. (*a*) The assessment of taxes imposed in the form of a rate on buildings or lands or both in each municipality shall be made and revised by the Amildar or by such other officer as may be appointed by Government hereinafter called the Assessor, at least once in every four years.

(*b*) The municipal council shall afford all clerical and other necessary help to the Assessor to discharge his duties as such and shall bear all expenditure incidental thereto.

2. (1) When a rate on buildings or lands or both is imposed, the Assessor shall cause an assessment list of all buildings or lands, or buildings and lands in the municipality to be prepared containing—

(*a*) the name of the street or division in which the property is situated;

(*b*) the designation of the property, either by name or by number, sufficient for identification ;

(*c*) the names of the owner and occupier, if known ;

(*d*) the capital value of the property ; and

(*e*) the amount of the tax assessed thereon.

(2) For the purpose of making such assessment as aforesaid, the Assessor and any other person appointed to assist him in his work may make an inspection of such property.

(3) On the requisition of the Assessor, the owner or occupier of any such building or land shall, within such reasonable period as shall be specified in the requisition, be bound to furnish a true return to the best of his knowledge or belief and subscribed with his signature,

(*a*) as to the name and place of abode of the owner or occupier or of both ;

(*b*) as to the dimensions of such building or land and the capital value thereof.

3. When the name of the person primarily liable for the payment of a tax on buildings or lands or both in respect of any premises cannot be ascertained, it shall be sufficient to designate him in the assessment list, and in any notice which it may be necessary to serve upon the said person, as " the holder " of such premises, without further description.

4. When the assessment list has been completed, the Assessor shall give public notice thereof, and of the place where the list or a copy thereof may be inspected ; and every person claiming to be either owner or occupier of property included in the list, and any agent of such person shall be at liberty to inspect the list and to make extracts therefrom without charge.

5. (1) The Assessor shall, at the time of the publication of such assessment list, give public notice of a time, not less than a month thereafter, when the revising authority will proceed to revise the valuation and assessment ; and, in all cases in which any property is for the first time assessed or the assessment is increased, the Assessor shall also give notice thereof to the owner or occupier of the property if known and if the owner or occupier of the property is not known, he shall affix the notice in a conspicuous place on the property.

(2) The revising authority to whom objections under sub-rule (1) above may be made shall be the municipal council or any committee to which the municipal

council may delegate this function or an officer of the Government to whom with the permission of the Deputy Commissioner, the municipal council may delegate this function.

(3) All objections to the valuation and assessment shall be made to the Assessor before the time fixed in the notice, by application in writing stating the grounds on which the valuation and assessment are disputed, and all applications so made shall be registered in a book to be kept by the Assessor for the purpose and forwarded to the revising authority.

(4) The revising authority shall, after allowing the applicant an opportunity of being heard in person or by agent—

(*a*) investigate and dispose of the objections,

(*b*) cause the result thereof to be noted in the book kept under sub-rule (3), and

(*c*) cause any amendment necessary in accordance with such result to be made in the assessment list.

(5) When all objections made under this rule have been disposed of or all amendments required by sub-rule (4) have been made in the assessment list, the said list shall be authenticated by the revising authority.

(6) The list so authenticated shall be deposited in the municipal office, and shall be open for inspection during office hours to all owners and occupiers of property specified therein, or to the agents of such persons and a notice that it is so open shall be forthwith published.

(7) The entries in the list so authenticated and deposited shall be accepted as conclusive evidence—

(*i*) for the purposes of all municipal taxes of the valuation of all buildings and lands to which such entries respectively refer, and

(*ii*) for the purposes of any tax imposed on buildings or lands of the amount of each such tax leviable thereon throughout the official year to which such list relates.

6. (1) The municipal council may at any time alter the assessment list by inserting or altering an entry in respect of any property, such entry having been omitted from or erroneously made in the assessment list through fraud, accident or mistake, or in respect of any building constructed, altered, added to or reconstructed in whole or in part, where such construction, alteration, addition or reconstruction has been completed after the preparation of the assessment list, after giving notice to any person

interested in the alteration of the list of a date, not less than one month from the date of service of such notice, before any objection to the alteration should be made.

(2) An objection made by any person interested in any such alteration, before the time fixed in such notice and in the manner provided by rule 5 (3) shall be dealt with in all respects as if it were an application under the said rule.

(3) An entry or alteration made under this rule shall have the same effect as if it had been made in the case of a building constructed, altered, added to, or reconstructed on the day on which such construction, alteration, addition or reconstruction, was completed or on the day on which the new construction, alteration, addition or reconstruction was first occupied, whichever first occurs, or in other cases, on the earliest day in the current official year on which the circumstances justifying the entry or alteration existed; and the tax or the enhanced tax, as the case may be, shall be levied in such year in the proportion which the remainder of the year after such day bears to the whole year.

7. (1) In the event of any building being demolished, the owner shall give notice thereof to the President.

(2) Until such notice is given, the said owner shall be liable at the discretion of the municipal council for the payment of the property tax which would have been leviable, had not such building been demolished.

8. (1) Whenever the title of any person primarily liable for the payment of a tax imposed on any premises in the form of a tax on any buildings or lands or both to or over such premises is transferred, the person from whom the same shall be transferred shall give notice of such transfer in writing to the President.

(2) In the event of the death of any person primarily liable as aforesaid, the person to whom the title of the deceased shall be transferred as heir or otherwise shall give notice of such transfer to the municipal council.

(3) Whenever such transfer comes to the knowledge of the municipal council either through such notice or otherwise and after such enquiry as may be necessary, the name of the transferee shall be substituted in the municipal registers for that of the person primarily responsible.

(4) The liability of the owner for payment of taxes on buildings or lands continues in the absence of such notice of transfer.

9. Any person who fails to furnish the information required under rule 2 (3) above or who furnishes false information knowing it to be false shall be liable on conviction before a Magistrate to a fine not exceeding Rs. 50.

CHAPTER V.

LIGHTING TAX.

[*Section 61 (1) (c).*]

1. Lighting tax shall be levied at a rate not exceeding one-third of the rate levied on buildings and lands situated within the municipal limits as specified in schedule II, in case where lighting of public streets, places and buildings is undertaken by the municipal council.

2. The tax will be collected in advance in the months of July and January of each year in the same manner and by the same agency as is entrusted with the collection of taxes on buildings and lands.

CHAPTER VI.

WATER TAX.

[*Section 61 (1) (d).*]

1. Water-tax shall be levied with the previous sanction of Government at a rate to be specified in respect of each municipal council, subject to the conditions specified in the proviso (*b*) to section 63 of the Regulation.

2. Each municipal council intending to levy the said tax should submit the proposal to Government, together with the conditions to be attached for the supply of water both in respect of public fountains and private connections.

CHAPTER VII.

SPECIAL SANITARY CESS.

[*Section 61 (1) (e).*]

1. No special sanitary cess shall be leviable in respect of any private latrines, premises or compounds, unless and until the municipal council has—

(i) made provision for the cleansing thereof by manual labour, and

(ii) issued either severally to the persons to be charged or generally to the inhabitants of the municipality or part of the municipality to be charged with such cess, one month's notice of the intention of the municipal council to perform such cleansing and to levy such cess.

2. The rates of levy of such cess shall be in accordance with those to be prescribed by Government from time to time on the recommendation of the municipal council concerned.

CHAPTER VIII.

TAX ON SHOPS AND OTHER PLACES WHERE A BUSINESS IS CARRIED ON, ETC.

[*Section* 61 (1) (*f*).]

1. Every person keeping a shop or engaging any place for carrying on any profession, business or trade within the municipal limits shall, within 15 days from the first day of the official year, and any person who engages any place as such shall, immediately after keeping the shop or engaging the place, give in writing intimation thereof to the President of the municipal council.

2. Every person liable to tax on shops and places where business is carried on for purposes of profit and every such person who shall change the name of the place shall, within 30 days from the date of changing the same, give intimation thereof in writing to the President of the municipal council.

3. The tax shall be levied at rates not exceeding those specified in schedule III.

4. Failure to furnish information under the above rules and furnishing false information in connection therewith shall, on conviction before a Magistrate, be punishable with fine which may extend to Rs. 50.

CHAPTER IX.

TAXES ON VEHICLES.

[*Section* 61 (1) (*g*).]

1. The municipal council shall maintain a register in which shall be entered the names of persons liable to pay tax in respect of vehicles with the amount leviable and such other details as may be necessary.

2. The tax levied on vehicles shall not exceed the rates specified in schedule IV.

3. The municipal council may compound with the keeper of any livery stable or vehicles kept for sale and hire for the payment of a lumpsum for every year in lieu of any amount which such keeper would otherwise have been liable to pay.

4. When a vehicle has been sold, the transferer shall give notice of the same to the President and until such notice is given, he shall be liable to the payment of the tax.

5. The levy of vehicle tax on motor vehicles is entirely prohibited.

CHAPTER X.

TOLL ON VEHICLES.

[*Section* 61 (1) (*h*).]

1. At the municipal boundary on all roads specified in the sale notification, the municipal council may, with the previous sanction of Government, establish toll bars, gates or stations.

2. The municipal council may, subject to the provisions of rules below, levy toll at rates not exceeding those specified in schedule V on vehicles entering the municipal limits.

3. Not more than one payment of toll shall be demanded at any toll bar, gate or station in respect of any vehicle in any period of 24 hours counted from sunrise to sunrise. Provided that when toll has been paid at any toll bar, gate or station in respect of any vehicle not laden, the difference between such toll and the toll payable in respect of such vehicle shall be payable if such vehicle passes through such toll bar, gate or station laden within such period.

4. The municipal council shall cause to be kept at each place where such toll is to be collected a table in Kannada showing the amounts leviable in all cases provided for in the rules, including the terms, if any, on which the liability to pay such tolls may be compounded by periodical payments, and it shall be the duty of every person authorised to demand payment of a toll, to show such table on the request of any person on whom such demand is made.

5. (i) In the case of non-payment on demand of any toll leviable by the municipal council, the person

appointed to collect the toll may seize any vehicle on which the toll is chargeable or any part of its burden, which is of sufficient value to satisfy the demand, and may detain the same. He shall thereupon give the person in possession of the vehicle a list of the property seized from him.

(ii) When any article is subject to speedy and natural decay, or when the expense of keeping it together with the amount of the toll chargeable is likely to exceed its value, the person seizing such article may inform the person in whose possession it was that it will be sold at once, and shall sell it or cause it to be sold accordingly unless the amount of toll demanded be forthwith paid.

(iii) If at any time before the sale has begun, the person whose property has been so seized tenders at the municipal office the amount of all expenses incurred, and of the toll payable, the municipal council shall forthwith release the property seized.

(iv) If no such tender is made, the property may be sold and proceeds of such sale shall be applied in payment of such toll and the expenses incidental to the seizure, detention and sale.

(v) The surplus, if any, of the sale proceeds shall be credited to the municipal funds, and may, on application made to the municipal council in writing within six months next after the sale, be paid to the person in whose possession the property was when seized, and, if no such application is made, shall be the property of the municipal council.

6. If the collection of the toll has been leased under section 68, any person employed by the lessee to collect such tolls shall, subject to the conditions of the lease, have the powers referred to in rule 5 (i) and (ii) above, provided that no article distrained may be sold except under the orders of the municipal council.

7. No toll shall be levied for the passage of the carriages, carts, etc.,—

(1) belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore;

(2) belonging to the Dewan of Mysore;

(3) belonging to the municipal council;

(4) conveying the municipal servants on duty or property in the custody of such servants;

(5) licensed by the municipal council;

(6) assessed by the municipal council to municipal taxation, provided the tax has been paid in advance;

(7) possessed by a person who has compounded with the municipal council for the prescribed sum;

(8) engaged by the Postal Department exclusively to convey mails;

(9) belonging to the Hon'ble the British Resident in Mysore, and his staff, namely, the Secretary to the Resident, the Residency Surgeon, and the Personal Assistant to the Resident;

(10) belonging to the Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowance;

(11) belonging to the Heads of Mutts who hold a rahadari issued by competent authority.

8. No tolls shall be levied on foot passengers.

9. No tolls shall be levied on any conveyance used for any ambulance purpose.

10. No tolls shall be levied for the passage of military troops or military stores, or equipages or police officers on duty or of any person or property in their custody or of any property, *bona fide*, belonging to Government as established where proof is required, by the production of a pass or certificate from any officer or of the department to which the property belongs authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart, carriage, or animals conveying such property reaches the destination noted in such pass or certificate.

11. No toll shall be levied afresh on any cart, etc., passing along the toll-gate, if, within a period of 24 hours counted from sunrise to sunrise, a toll has been collected thereon at a toll-gate, in the Mysore State, or toll-gate in British India, in respect of which the Government have secured reciprocity for exemption in consultation with the British authorities.

12. Carts laden with bone or other substance as manure shall be treated as unladen and tolled accordingly.

13. No tolls shall be levied on carts carrying manure for agriculture belonging to the residents of the village or town within five miles of limits of which the toll-gate is established.

14. The British Military Officers in uniform passing on duty through the State are exempted from the payment of tolls.

15. The car conveying the Raja of Sandur is exempt from payment of toll.

16. No toll shall be levied on "through traffic," provided that vehicles halting within municipal limits for the purpose of loading or unloading goods or taking up or setting down passengers shall not be considered as "through traffic."

17. No toll shall be levied on Motor Vehicles which are exempted from payment of municipal tolls under the Road Traffic and Taxes Regulation or the rules framed thereunder.

CHAPTER XI.

RECOVERY OF DUES.

1. Octroi and toll shall be payable on demand and every other tax leviable under clauses (*b*) to (*g*) of sub-section (1) of section 61 shall be payable at the time specified in column 4 of the schedules I, II, III and IV. The taxes imposed under section 62 shall be paid either in whole or in such instalments and on such date or dates as may be approved by the municipal council.

2. All taxes, cesses, rates and fees shall be payable to such person as may be specifically authorised by the municipal council for the purpose.

3. Where any tax shall remain unpaid ten days after the same is due, the President may cause to be served upon the person or his agent a notice in writing in the form given in Appendix (B). For every such notice issued, a fee of annas two shall be levied.

4. If such owner or owner's agent or occupier or person shall not, within fifteen days from the service of such notice of such demand upon him, pay the sum due or show cause to the satisfaction of the President why the same should not be paid, the President or other person duly authorised in that behalf by him, may levy such sum with all costs by distraint and sale of the moveable property of the defaulter, or if the defaulter be the occupier of any building in respect of which such tax is due, by distraint and sale of any property found in or on such buildings, provided that no property of the occupier shall be distrained unless he has been served with a notice as aforesaid.

5. If the property tax due in respect of any building or land remains unpaid after a notice of demand has been duly served on the owner thereof, the President may demand such sum from the occupier of such building or land and in default of payment, may recover it from him in the manner provided in the above rule. However no arrears due from the owner for more than one year shall be so recovered from the occupier.

6. Nothing herein contained shall preclude the municipal council from suing in a Civil Court for any amount due to them under these rules.

7. In order to distrain and sell the property referred to in rule 4, the President shall issue a warrant in the form prescribed in Appendix C and for each such warrant, a fee of eight annas shall be leviable.

8. The moveable property that is not liable to attachment and sale under section 60 of the Code of Civil Procedure of 1911 shall not be liable to distraint.

9. (1) Under a special order in writing by the President, any officer charged with the execution of a warrant of distraint may, between sunrise and sunset, break open any outer or inner door or window of a building in order to make the distress if he has reasonable ground for believing that such building contains property which is liable to seizure and if, after notifying the purpose and duly demanding admittance, he cannot obtain admittance, provided that such officer shall not enter or break open the door of any apartment appropriated to women until he has given reasonable notice of such intention and has given such women an opportunity to remove themselves.

(2) The officer charged with the execution of a warrant of distress shall make an inventory of the property seized and shall at the same time give notice of sale to the person in possession of the said property with a copy of such inventory.

10. The distress shall not be excessive—that is to say the property distrained shall be as nearly as possible proportionate to the value of the sum due by the defaulter together with all expenses incidental to the warrant, distraint, detention and sale.

11. If the amount due under the warrant together with the incidental expenses aforesaid is not paid within the time mentioned in the notice of sale, the property

seized or a sufficient portion thereof may be sold by public auction under the orders of the President who shall apply the proceeds or such part thereof as may be necessary to payment of the sum due including all expenses as aforesaid.

12. If the property seized is perishable or if the expense of keeping it will, together with the amount of the tax due, exceed the value of the property, the President shall forthwith sell the property after giving due notice of sale to the person in possession at the time of the seizure.

13. The surplus, if any, shall be paid to the person in possession of the property distrained at the time of its seizure, if application is made within six months from the date of sale; if no such application is made, the surplus shall be forfeited to the municipal council.

14. Neither the President nor any municipal officer or servant shall directly or indirectly purchase any property at any such sale.

15. Where the warrant is addressed outside the municipality, the authority issuing the warrant may, by endorsement, direct the officer to whom the warrant is addressed to sell the property distrained and in such case, it shall be lawful for such officer to sell the property and to do all things incidental to the sale and the foregoing provisions shall apply *mutatis mutandis*. Such officer shall, after deducting all costs of recovery incurred by him, remit the amount recovered under the warrant to the authority by whom it was issued, who shall dispose of the same in accordance with the provisions of rules 11 and 13 *supra*.

16. (1) If the President of the municipal council shall at any time have reason to believe that any person from whom any sum recoverable under these rules is due or is about to become due, is about to remove himself from the municipal area, the President may cause a bill for the sum due or about to become due to be presented to such person and demand immediate payment thereof.

(2) If on presentation of such bill, the said person does not forthwith pay the sum due or about to become due by him, the amount shall be leviable by distress and sale of the moveable property of the defaulter in the manner hereinbefore prescribed and the municipal

council's warrant for distress and sale may be issued and executed without any delay.

17. Fees shall be levied on distraints under these rules with reference to the value of the property distrained according to the rates specified in the following table :—

A fee of four annas if the amount distrained for is less than Rs. 5

A fee of six annas if the amount distrained for is not less than Rs. 5 but less than Rs. 10.

A fee of eight annas if the amount distrained for is not less than Rs. 10 but less than Rs. 25.

A fee of rupee one if the amount distrained for is not less than Rs. 25 but less than Rs. 50.

A fee of rupees two if the amount distrained for is not less than Rs. 50 but less than Rs. 75.

A fee of rupees three if the amount distrained for is not less than Rs. 75 but less than Rs. 100.

A fee of rupees five if the amount distrained for is Rs. 100 and over.

An additional fee of 0-4-0 per peon per day shall be levied when peons are left in charge of distrained property.

18. Fees levied under the above rule are not intended to cover the cost of maintaining any live-stock distrained.

Rates for these will be as follows :—

			Annas.
Buffalo	...	...	4 each.
Do calf	...	...	2 ,,
Bullock or cow	...	...	4 ,,
Heifer or calf	...	...	1 ,,
Sheep or goat	...	...	1 ,,
Kid	...	...	1 ,,
Horse	...	...	4 ,,
Foal	...	...	2 ,,
Donkey	...	...	1 ,,
Pig	...	...	1 ,,
Birds of all kinds	...	...	1 ,,

provided that no rate shall be charged where the owner of any live-stock pays the full amount of the municipal dues and receives back such live-stock within three hours after seizure.

CHAPTER XII.

REMISSIONS AND WRITES-OFF.

1. (*a*) The term "remission" occurring in the Regulation will be applied in respect of amounts wrongly brought on demand and irrecoverable on that account. All items brought on demand by error or where exemptions have to be or had been given under the Regulation and rules framed thereunder, and all cases of double levy come under this class.

(*b*) The term "write off" will be applied with regard to the amounts which, brought on demand rightly, have become subsequently irrecoverable for reasons such as impossibility of recovery owing to the defaulter having no property to proceed against, the death or continued absence of the defaulter leaving no property to proceed against, and efflux of prescribed time making the amounts time-barred.

2. The President of the municipal council will prepare lists of amounts falling under both classes with full details in respect of each item and place them before the municipal council from time to time in their meetings for their decision.

3. The municipal councils are empowered to remit by resolutions duly passed at a meeting all items falling under rule 1 (a) irrespective of the amount involved in each case. As regards items falling under rule 1 (b) above, they are empowered, by recording resolutions, to write off sums not exceeding Rs. 5 in each case.

4. Arrears of taxes or costs of recovery may be written off as irrecoverable if they have been outstanding for at least a year in the case of sums less than Rs. 5 and three years in other cases, provided the municipal council is satisfied that processes for recovery have been pushed on with due promptness and diligence and that the sum due cannot be recovered within any reasonable time or at any reasonable cost by any legal process.

5. With regard to items exceeding Rs. 5, a resolution recommending the amount to be written off should be passed. The President will prepare a list of such cases and submit the same to the Deputy Commissioner together with a copy of the resolution of the municipal council.

6. The Deputy Commissioners are empowered to write off amounts irrecoverable up to Rs. 25 in each case. Sanction of Government should be obtained for writing off larger amounts.

7. Final orders passed in regard to such items should be duly entered in the assessment list and other accounts by the President against the items quoting the authority, sanctioning remissions or writes off in each case.

8. A consolidated list of amounts so remitted or written off should be submitted to the Deputy Commissioner with the D. C. B. statement for each quarter. The Deputy Commissioners should, at the annual inspection of the registers of the municipality, satisfy themselves that the powers of the municipal council are being properly exercised and that the entries are in order.

By Order,

M. VENKATANARANAPPA,

Secretary to Government,

Development Department.

APPENDIX A—(Rule 11).

To

The Officer in charge of the Bonded Warehouse, Minor Municipal Council of.....
Please receive the undermentioned goods and deposit them in the Koti.

Name of depositor (1)	Description of articles deposited (2)	Distinguishing marks, if any (3)	Weight		Quantity (6)	Value (7)	Remarks (8)
			Maunds (4)	Seers (5)			

I do hereby certify that I have satisfied myself that the entries made by me as above are correct and that I am fully aware of the provisions of the rules, nos. 12 to 19.

Witness.....
Signature.....
Address.....

Signature of depositor.....
Address.....
Date.....

APPENDIX B.

(*Vide* rule 3 Chapter XI).

NOTICE OF DEMAND.

Take notice that the President of the Minor Municipal Council of .....demands from you the sum of Rs. due from you to the said Municipal Council.....on account of in for the half-year and if the sum due is not paid into the office of a or if sufficient cause for the non-payment is not shown to him to within fifteen days from the service of this notice, a warrant of distress will be issued for the recovery of the same with costs.

Signature of the President or the Vice-President, Municipal Council.

Date.....

APPENDIX C.

(*Vide* rule 7 Chapter XI).

DISTRAINT WARRANT.

To

(Here insert the name of the officer charged with the execution of the warrant.)

Whereas of has not paid or shown sufficient cause for the non-payment of the sum of rupees due for the taxes mentioned in the margin for the 193 , although the said sum has been duly demanded from the said and fifteen days have elapsed since such demand was made, this is to command you to distrain the goods and chattles of the said (or as the case may be, any goods and chattles found on the premises referred to) to the amount of the said sum of Rs. together with for warrant-fee, making together a sum of Rs. and such further sum as may be sufficient to defray the charges of taking, keeping and selling such distraint, and if, within fifteen days next after such distraint, the amount due on account of the said taxes and fee shall not be paid, together with such further sum as may be sufficient to defray the charges of taking and keeping such distraint, to sell the said goods and chattles; and having paid and deducted out of the proceeds of the sale, the amount due on account of the said taxes and fee rupees and the charges of taking, keeping and selling such distraint to return the surplus, if any, on demand to the person whom you found in possession of the said goods and chattles. If sufficient distraint cannot be found of the goods and chattles of the said you are to certify the same to me together with this warrant.

Signature of the President and stamp of the municipal council.

Date.....

SCHEDULE I.

[*Section* 61 (1) (*a*)].

MAXIMUM RATES OF OCTROI.

Taxes	Maximum rates	Exemptions	Time at which taxes are payable
A. Octori.—	Rs. a. p.		
Class I.—Articles of food or drink for men or animals.	...		
Cocoanuts, fresh including tender cocoanuts.	0 0 1 each	(1) Personal luggage of travellers and goods, *bona fide* property of Government at the time of import and accompanied by an invoice certified by the Departmental Head concerned that the property therein mentioned belongs to Government.	
Cocoanuts dry ...	0 8 0 per md. of 960 tolas.		
Betel leaves ...	0 0 1 per bundle of 100 leaves.		
Sugar ...	0 4 0 per maund of 960 tolas.		
Jaggory ...	0 2 0 per maund of 960 tolas.		
Ghee ...	0 8 0 per maund of 960 tolas.		
Butter ...	0 6 0 per maund of 960 tolas.		
Oats ...	1 0 0 per cent *ad valorem*.		
Bran ...	1 0 0 per cent *ad valorem*.		
Chaff ...	1 0 0 per cent *ad valorem*.	(2) Goods which are declared not to be intended for use or consumption within Municipal limits and are taken to the bonded warehouse as provided in the rules, provided that if such goods be not exported, they shall pay the full duty.	Time of import of goods into the municipal limits.
Class II.—Animals used for slaughter, sheep and goats.	0 2 0 per head		
Class III.—Oils and oil-seeds. Kerosine oil.	0 2 0 per tin		
Other oils ...	0 2 0 per maund of 960 tolas.		
Oil seeds ...	0 4 0 per candy of 160 seers or 2½ annas per palla.		
	...	(3) (a) Salt, (b) Opium, (c) Fermented or spirituous liquors manufactured in India and drugs liable to Excise or Abkari duty, (d) Mysore made kamblis, (e) Gold and Silver when imported in the form of bullion, (f) Coin.	
Class IV.—Articles used in the construction of buildings.			
1. Timber.—			
(a) Teak, honne and blackwood.	4 0 0 per ton of 50 cubic ft.	(4) Six fresh cocoanuts; six dry cocoanuts, 100 betel leaves and one seer of tobacco if brought for personal consumption by *bona fide* travellers, 5 seers of Jaggory, 2½ seers of ghee, 5 seers of butter, 2½ seers of oil other than Kerosine oil, 2½ seers sugar, 2 cloths.	
(b) Timber of other kinds.	2 0 0 per ton of 50 cubic ft.		
2. Chunam or lime...	0 4 0 per cart load		
3. Roofing tiles (Mangalore pattern).	1 9 0 per cent *ad valorem*.		

SCHEDULE I.—*concld.*

Taxes	Maximum rates	Exemptions	Time at which taxes are payable
	Rs. a. p.		
Class V.—Tobacco	4 0 0 per maund of 960 tolas.		
Cigars ...	0 3 0 per 1,000		
Cigarettes	0 2 0 ,,	(5) Piece-goods manufactured locally.	
Beedies...	0 1 0 ,,	(6) Hand spun Khadi.	
Class VI.—Piece-goods and other textile fabrics and manufactured articles of clothing and dress.	0 0 3 per rupee *ad valorem*.		
Class VII.—Metals.	1 9 0 per cent *ad valorem*.		
Class VIII.—Other articles which are not specified above and which may be approved by the Government by an order in this behalf with the consent of the municipal council concerned.	2 0 0 per cent *ad valorem*.		

SCHEDULE II.

Section 61 (1) (b), (c), (d), (e) and 62.

MAXIMUM RATES.

Taxes	Maximum rate per year	Exemptions	Time at which taxes are payable
1	2	3	4
A. Rate on buildings or lands or both. (i) Lands not occupied by buildings and not appurtenant to any building or attached thereto for use therewith as a garden or pleasure ground or for the pasturage of animals kept for private use.	Eight annas for every one hundred square yards.	(a) Buildings set apart for the occupation of His Highness the Maharaja. (b) Buildings belonging to Government and used solely for public purposes and not used or intended to be used for purposes of profit, unless the Government consent to the levy of tax.	In two equal instalments in advance before the 10th July and before the 10th January every year.
(ii) Buildings or lands or both not falling under (i).	Eight annas for every hundred rupees or portion of hundred rupees of the market value up to two thousand rupees, with four annas for every hundred rupees or portion of hundred rupees for the balance of such value in excess of two thousand rupees.	(c) Buildings exclusively used as places of public worship or for religious or charitable, but not for residential purposes. (1) Mantapams or buildings within the precincts of the temple used for storage of vahanams and other materials of the temple and those exclusively used by the archak for preparing naivedyam, etc.	
B. Special sanitary cess.	Rates that may be notified by the Government from time to time with the consent of the municipal council concerned.		
C. Water-rate or water-rates.	Rates that may be notified by the Government from time to time provided that the rates fixed are deemed by the Government to be reasonable with reference to the expenditure of providing the water-supply.	(2) Out-houses within the precincts of the temple used for residential purposes by persons entrusted with the temple work and those within the precincts of chatram or musafirkhanas used for residential purposes by persons entrusted with the cleansing work of the institution.	
D. Lighting tax ...	One-third of the rate leviable under item A.		

SCHEDULE II.—*concld.*

Taxes	Maximum rate per year	Exemption	Time at which taxes are payable
1	2	3	4
E. Other taxes leviable under Section 62.	Rates to be fixed by the Government in each case with the consent of the municipal council.	(d) Aided or unaided schools on the buildings of which no rent is charged by the owners. (e) Buildings whose market value is Rs. 10 and under, occupied by old and infirm people who earn nothing and who are too poor to pay the least rate of tax, viz., annas eight. (f) Buildings used for the purpose of native gymnasiums. (g) Buildings which are the property of the municipality. Vacant site specially reserved by Government for specific purposes, such as pitching of tents, parade and halting of troops.	In two equal instalments in advance in July and January every year.

SCHEDULE III.

MAXIMUM RATE OF TAX ON SHOPS AND OTHER PLACES WHERE A BUSINESS OR PROFESSION IS CARRIED ON.

[*Section 61 (1) (f).*]

Items on which taxes may be levied	Maximum rate per year	Time of payment
1	2	3
I. Shops—		
(1) Wholesale shops (mandy) (for each shop per year.)	Rs. 1st Class 25 2nd „ 20 3rd „ 15 4th „ 10	In two instalments in advance before the 10th July and 10th January of each year.
(2) Other shops (for each shop per year).	1st „ 25 2nd „ 20 3rd „ 15 4th „ 10 5th „ 6 6th „ 4 7th „ 2 8th „ 1	
II. Other places where business or profession is carried on for purposes of profit (for each place per year.)	1st „ 25 2nd „ 20 3rd „ 15 4th „ 10 5th „ 6 6th „ 4 7th „ 2 8th „ 1	

SCHEDULE IV.

VEHICLES LIABLE TO TAXATION WITH THE MAXIMUM RATES OF TAXATION.

(Section 61 (1) (g).)

Items on which taxes may be levied	Maximum rate per year			Exemptions	Time at which tax is payable
	Rs.	a.	p.		
For every four-wheeled vehicle with springs constructed to be drawn by two or more horses	20	0	0	(*a*) Vehicles belonging to His Highness the Maharaja and His Highness the Yuvaraja.	In one instalment in July from 1st to 10th or in two equal instalments from 1st to 10th July and from 1st to 10th January every year.
For every four-wheeled vehicle with springs constructed to be drawn by a horse, bull or bullock, or by two or more horses under thirteen hands, bulls or bullocks ...	10	0	0	(*b*) Vehicles, the property of Government unless the Government consents to the levy of the tax.	
For every two-wheeled vehicle with springs constructed to be drawn by one or more horses, bulls or bullocks	6	0	0	(*c*) Vehicles belonging to the municipality and not those hired by them.	
For every other vehicle with springs and every palanquin	6	0	0	(*d*) Juvenile vehicles such as perambulators, etc.	
For every cart or other vehicle without springs	4	0	0	(*e*) Vehicles kept by carriage builders or dealers solely for sale.	
For every bicycle or tricycle ...	2	0	0	(*f*) Conveyance in transit or staying within municipal limits not longer than 30 days in any half year.	
				(*g*) Vehicles belonging to members of the Police and of the officers of the municipality employed in in and out-door duties, provided that not more than one vehicle shall be exempted without the special permission of the municipal council.	
				(*h*) Motor Vehicles.	

SCHEDULE V.

MAXIMUM RATES OF TOLL PAYABLE ON ENTERING THE MUNICIPAL LIMITS.

[*Section 61 (1) (h).*]

		Rs.	a.	p.
1.	On every motor bus or motor lorry as defined in the Road Traffic and Taxes Regulations	0	6	0
2.	On every motor car or motor cab do ...	0	4	0
3.	On every motor tricycle or bicycle or trailer attached to a motor car ...	0	2	0
4.	On every four-wheeled carriage ...	0	4	0
5.	On every two-wheeled carriage on springs other than a jutka	0	2	0
6.	On every jutka laden	0	2	0
7.	On every jutka unladen	0	1	0
8.	On every other vehicle with springs including a tricycle or bicycle ...	0	1	0
9.	On every cart or other vehicle not on springs drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	2	0
10.	On every cart or other vehicle not on springs drawn by two buffaloes, bullocks, horses, ponies, asses or mules, if not laden	0	1	0
11.	On every cart or other vehicle not on springs drawn by single bullock, buffalo, horse, pony, ass or mule, if laden ...	0	1	0
12.	On every cart or other vehicle not on springs drawn by a single bullock, buffalo, horse, pony, ass or mule, if not laden ...	0	1	0

No. P. 5501—dated Bangalore, 17—18th February 1936.

The Government of His Highness the Maharaja are pleased to direct that the words "*in a weather proof license container*" occurring at the end of the first sentence in Rule 14 (2) issued with Notification No. P. 3812—Legis. 46-35, dated 11th December 1935 and published at page 564 of Part IV of the *Mysore Gazette*, dated 12th December 1935, be deleted.

The rule as amended will read as follows :—

"(2) The license shall be carried in a holder made of metal and of weather proof construction, except where it is carried on the glass portion of the wind-screen as provided for in Sub-para *c* (i) above. The said holder shall either be circular or rectangular with cross bar and conform to the following specifications."

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. R. 5006—L. R. 277-35-2, dated Bangalore, 26th February 1936.

The Government of His Highness the Maharaja of Mysore are pleased to direct that the last sentence of Rule 92 of the Rules under the Mysore Village Offices Regulation as amended from time to time be further amended as follows :—

Existing provision.	*Provision as amended.*
No Patel or Shanbhog shall absent himself from his charge for more than seven days without previously obtaining leave from the Amildar of the Taluk.	No Patel or Shanbhog shall absent himself from his charge for more than three days without previously obtaining leave from the Amildar of the Taluk. In respect of absence for periods shorter than three days, he should submit a report to the Revenue Inspector of the Hobli intimating the fact of his availing himself of the leave.

By Order,
A. V. RAMANATHAN,
Chief Secretary to Government.

ERRATA.

No. P. 5704—Legis. 46-35, dated Bangalore, the 26th February 1936.

In item No. (iii) of para 1 of the Notification No. P. 3897—Legis. 46-35, dated 16th December 1935 and published at page 583 Part IV of the *Mysore Gazette*, dated 19th December 1935, regarding exemption of certain motor vehicles from payment of taxes leviable under the Mysore Road Traffic and Taxes Regulation,

add the words "*department or vehicles used exclusively for the conveyance of*" after the words "Mysore Military" and delete the word "conveying" after the word "or" and the words "vehicles used exclusively for the conveyance of" after the words "troops on duty or." This item as thus corrected will read as follows:—

"(iii) Motor vehicles belonging to the British or Mysore Military Department or vehicles used exclusively for the conveyance of officers or troops on duty or Military stores and equipage."

NOTIFICATION.

No. P. 5703—Legis. 46-35, dated Bangalore, the 26th February 1936.

The following draft amendments to forms A, B and C, which the Government propose to make in exercise of the powers conferred on them by Section 11, 2 (*a*) of the Mysore Motor Vehicles Regulation, 1928 and referred to in Rules 1 to 3 of the Mysore Motor Vehicles Rules published with Notification No. P. 3015—Legis. 21-22-10, dated 12th December 1924 amended from time to time are published for the information of persons likely to be affected thereby and notice is hereby given that the said drafts will be taken into consideration on or after the 9th March 1936.

DRAFT AMENDMENT.

For the present forms A, B and C, the following forms A, B and C will be substituted:—

FORM "A"

APPLICATION FOR REGISTRATION OF A MOTOR VEHICLE.

1. Full name of owner.
2. Postal address of usual residence of owner.
3. Name of maker and date of manufacture.
4. Type of vehicle.
5. Type of body of vehicle { Seating capacity. / Carrying capacity.
6. Number stamped on the { (1) Engine. / (2) Chassis.
7. Tyres—(pneumatic or otherwise).
8. Horse-power.
9. Number of cylinders.
10. Unladen weight of vehicle in cwts.
11. Whether intended for—
    (*a*) Private use.
    (*b*) Public service use.
12. If the motor vehicle is a heavy motor vehicle, that is to say, if it exceeds two tons in weight when unladen.
    (*a*) Axle weight of each axle.
    (*b*) Diameter of each wheel.

Dated.....
Place.....

Signature of the applicant.

FORM "B"

REGISTER OF MOTOR VEHICLES REGISTERED IN THE MYSORE STATE.

Number assigned	Full name of owner	Postal address of usual residence of owner	Name of maker and date of manufacture	Number stamped on the		Type of motor vehicle	Type of body of vehicle and		Horse-power	Number of cylinders	Unladen weight of vehicle in cwts.
				Engine	Chassis		Seating capacity	Carrying capacity			
1	2	3	4	5	6	7	8	9	10	11	12

Whether intended for		If the motor vehicle is a heavy motor vehicle		Date of Registration	Particulars of any change of ownership or alteration of other particulars with date	If cancelled, date of cancellation	Amount of fee	Remarks
Private use	Public service	(a) Axle weight of each axle	(b) Diameter of each wheel					
13	14	15	16	17	18	19	20	21

M. V. REGULATION—XVI OF 1928.

'C'

CERTIFICATE OF REGISTRATION OF A MOTOR VEHICLE GRANTED UNDER THE MYSORE MOTOR VEHICLES RULES, 1928.

MYS. No. .....of 19 .

This is to certify that a motor vehicle of the description given below, owned by..... of.....has been registered by me on .....and has been assigned the distinguishing number MYS. .....

(1) Class of Vehicle :—

Name of maker and date of manufacture.

Type of vehicle.

Type of body of vehicle and
1. Seating capacity.
2. Carrying capacity.

Horse-power.

Number of cylinders.

Number stamped on the
1. Engine.
2. Chassis.

Weight of vehicle unladen.

Weight unladen of trailers, if any, intended to be used with the vehicle.

Use for which intended.

In the case of heavy motor vehicles—

(1) Axle-weight of each axle.

(2) Diameter of each wheel.

BANGALORE,
Date.....

Inspector-General of Police in Mysore.

CHANGE OF ADDRESS.

1st change.

Name.

(Block capitals.)

Address.

BANGALORE.
Date .....

Inspector-General of Police in Mysore.

CHANGE OF ADDRESS.

2nd change.

As above.

CHANGE OF ADDRESS.

3rd change.

TRANSFER OF VEHICLE.

1. Ownership / Temporary possession transferred to

Name
(Block capitals)

Address

BANGALORE,
Date.....

Inspector-General of Police in Mysore.

TRANSFER OF VEHICLE

2.

As above

TRANSFER OF VEHICLE.

3.

SPACE FOR ENDORSING PAYMENT OF TAX.

The Vehicle tax, Road tax due under the Mysore Road Traffic and Taxes Regulation in respect of the vehicle referred to in this book for the Quarter, Half-year, Year ending..... has been paid at .....

No tax is payable for the quarter ending on..... as the vehicle.....

Place.
Date

Treasury Officer...../District Taluk Treasury.
District Supdt. of Police, K. G. F.

By Order,
M. VENKATESA IYENGAR,
General Secretary to Government.

Printed by the Superintendent at the Government Press, Bangalore

Regd. No. M.—1175

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BANGALORE, THURSDAY, MARCH 19, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

Order No. P. 6063—Legis. 68-35-1, dated Bangalore, the 10—11th March 1936.

Ordered that the accompanying Emergency Regulation to prohibit the making of certain loans and credits which received the assent of His Highness the Maharaja on the 2nd day of March 1936, be published as Regulation No. II of 1936 in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION No. II OF 1936.

An Emergency Regulation to Prohibit the making of certain loans and credits.

(Received the assent of His Highness the Maharaja on the 2nd day of March 1936.)

Whereas an emergency has arisen which makes it necessary to prohibit the making of certain loans and credits;

Now therefore, in exercise of the powers conferred by section 12 of the Mysore Legislative Council Regulation, 1923, it is hereby enacted as follows :—

Short title and extent.

1. (1) This Regulation may be called the Italian Loans and Credits Prohibition Emergency Regulation, 1936.

(2) It extends to the whole of Mysore.

Prohibition of loans.

2. (1) No person shall—

(*a*) make, contribute to, participate in or assist in the making or issuing of any loan (wherever the loan is made or issued or to be made or issued) to or for the benefit of—

(i) The Government of any Italian territory, or

(ii) any person (not being a body corporate) of whatever nationality resident in any such territory, or

(iii) any person wherever resident being a body corporate incorporated under the law of any such territory, or

(*b*) offer for subscription, underwrite or otherwise assist in the issue of or subscribe for any share, wherever issued or to be issued, in any such body corporate.

(2) Any person who either—

(*a*) by giving a guarantee or by becoming a party to a bill of exchange assumes any liability for payment of money and therefore enables another person to raise money, or

(*b*) buys a bill of exchange (not being a bill payable on demand) from another person, or

(*c*) in connection with the sale of goods gives credit in any form to or for the benefit of another person, shall be deemed for the purposes of sub-section (1) to make a loan to or for the benefit of that other person.

(3) Nothing in this section shall be taken to prohibit the performance of any contract made before the commencement of this Regulation with any Government or person other than such a Government or person as is mentioned in clause (*a*) of sub-section (1), but save as aforesaid the provisions of this section shall have effect notwithstanding anything in any contract.

(4) Nothing in this section shall apply to any loan or for the benefit of an institution which is declared by the Government to be for the purposes of this section an institution having a humanitarian or religious object.

Penalty for contravention of section 2.

3. Whoever contravenes the provisions of section 2 shall be punishable with imprisonment for a term which may extend to two years or with fine or with both.

Liability of director or other officer of body corporate.

4. Where any contravention of section 2 by a body corporate is proved to have been committed with the consent or approval of or to have been facilitated by any neglect on the part of any Director, Manager, Secretary or other officer of such body corporate he, as well as, such body corporate shall be deemed to be guilty of the contravention and shall be punishable with punishment provided for the offence.

MIRZA M. ISMAIL,
Dewan.

No. 1286—Muz. 214-35-4, dated Bangalore, the 12—13th March 1936.

The Government of His Highness the Maharaja of Mysore are pleased to amend the Rules issued under Section 41 of the Mysore Religious and Charitable Institutions Regulation, VII of 1927 as amended by Notifications Nos. 1467—Muz. 226-26-5, dated 22nd February 1928 and 361—Muz. 346-28-7, dated 17th August 1929 as follows :—

(1) Under Rule 3 of the said Rules, the following shall be inserted as clause (9).

"(9) Power under Section 9 (2) to approve of leases of property belonging to Muzrai Institutions for a term not exceeding five years in the case of Dry and Wet lands and for periods not exceeding ten years in the case of Bagayet and Coffee lands."

N.B.—This power shall be exercised by Sub-Division Officers in the Districts of Shimoga and Kadur.

(2) The following shall be added as a Note under clause 9 of Rule 4 of the said Rules.

N.B.—*In the Districts of Shimoga and Kadur*, Deputy Commissioners shall have power to approve of leases of Wet and Dry lands for a period of 15 years and of Garden lands for 30 years in cases where their extent does not exceed five acres.

No. P. 6223—Legis. 23-35-8, dated Bangalore, the 17th March 1936.

In exercise of the powers conferred on them by Section 11, 2 (a) of the Mysore Motor Vehicles Regulation, 1928, the Government of His Highness the Maharaja are pleased to issue the following amendment to forms A, B and C, referred to in Rules 1 to 3 of the Mysore Motor Vehicles Rules, 1924, as amended from time to time, the draft amendment in the said behalf having already been published with Notification No. P. 5703—Legis. 46-35, dated 26th February 1936 at page 92, Part IV of the *Mysore Gazette*, dated 27th February 1936.

AMENDMENT.

Substitute for the present forms A, B and C of the Mysore Motor Vehicles Rules, the following forms A, B and C

FORM "A"

APPLICATION FOR REGISTRATION OF A MOTOR VEHICLE

1. Full name of owner.
2. Postal address of usual residence of owner.
3. Name of maker and date of manufacture.
4. Type of vehicle.
5. Type of body of vehicle { Seating capacity. / Carrying capacity.
6. Number stamped on the { (1) Engine. / (2) Chassis.
7. Tyres—(pneumatic or otherwise).
8. Horse-power.
9. Number of cylinders.
10. Unladen weight of vehicle in cwts.
11. Whether intended for—
    (*a*) Private use.
    (*b*) Public service use.
12. If the motor vehicle is a heavy motor vehicle, that is to say, if it exceeds two tons in weight when unladen.
    (*a*) Axle weight of each axle.
    (*b*) Diameter of each wheel.

Dated.....
Place.....

Signature of the applicant.

FORM "B"

REGISTER OF MOTOR VEHICLES REGISTERED IN THE MYSORE STATE.

Number assigned	Full name of owner	Postal address of usual residence of owner	Name of maker and date of manufacture	Number stamped on the		Type of motor vehicle	Type of body of vehicle and		Horse-power	Number of cylinders	Unladen weight of vehicle in cwts.
				Engine	Chassis		Seating capacity	Carrying capacity			
1	2	3	4	5	6	7	8	9	10	11	12

Whether intended for		If the motor vehicle is a heavy motor vehicle		Date of Registration	Particulars of any change of ownership or alteration of other particulars with date	If cancelled, date of cancellation	Amount of fee	Remarks
Private use	Public service	(a) Axle weight of each axle	(b) Diameter of each wheel					
13	14	15	16	17	18	19	20	21

M. V. REGULATION—XVI OF 1928.

'C'

CERTIFICATE OF REGISTRATION OF A MOTOR VEHICLE GRANTED UNDER THE MYSORE MOTOR VEHICLES RULES, 1928.

MYS. No. .....of 19 .

This is to certify that a motor vehicle of the description given below, owned by..... ..... of.....has been registered by me on .....and has been assigned the distinguishing number MYS. .....

---

(1) Class of Vehicle :—

Name of maker and date of manufacture.

Type of vehicle.

Type of body of vehicle and Horse-power.
1. Seating capacity.
2. Carrying capacity.

Number of cylinders.

Number stamped on the
1. Engine.
2. Chassis.

Weight of vehicle unladen.

Weight unladen of trailers, if any, intended to be used with the vehicle.

Use for which intended.

In the case of heavy motor vehicles—

(1) Axle-weight of each axle.

(2) Diameter of each wheel.

BANGALORE,
Date.....

Inspector-General of Police in Mysore.

CHANGE OF ADDRESS.

1st change.

Name.

(Block capitals.)

Address.

BANGALORE.
Date .....

Inspector-General of Police in Mysore.

CHANGE OF ADDRESS

2nd change.

As above.

CHANGE OF ADDRESS.

3rd change.

TRANSFER OF VEHICLE.

1. Ownership / Temporary possession transferred to

Name
(Block capitals)

Address

BANGALORE,
Date.....

Inspector-General of Police in Mysore.

TRANSFER OF VEHICLE

2

As above

TRANSFER OF VEHICLE.

3

SPACE FOR ENDORSING PAYMENT OF TAX.

The Vehicle tax, Road tax due under the Mysore Road Traffic and Taxes Regulation in respect of the vehicle referred to in this book for the Quarter, Half-year, Year ending.....
has been paid at .....

No tax is payable for the quarter ending on.....
as the vehicle.....

Place.
Date

Treasury Officer..... /District Taluk Treasury.
District Supdt. of Police, K. G. F.

By Order,
M. VENKATESA IYENGAR,
General Secretary to Government.

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The Mysore Gazette

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BANGALORE, THURSDAY, MARCH 26, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 6832 (1)—G. F. 432-34-5, dated Bangalore, 18th March 1936.

In exercise of the powers conferred by section 23 (1) of the Mysore Securities Regulation, 1925, the Government of His Highness the Maharaja of Mysore are pleased to issue the following amendments to the Government Securities Rules, 1925, the same having been previously published in the *Mysore Gazette* as required by sub-section (1) of the said section.

By Order,

S. SHAMANNA,

Financial Secretary to Government.

AMENDMENTS TO THE GOVERNMENT SECURITIES RULES, 1925.

Recognition of Office-Holders.

Rule 7 (1)

Substitute the following :—

On a proper demand made by a person who is the holder of an office other than a public office, the Comptroller may, in the case of any account of Government stock to be opened and kept with such person, either alone or jointly with other persons, describe such person, in the books of the Comptroller's office by the name of his office.

Renumber the existing clauses (d) and (e) as (f) and (g) and insert the following as (d) and (e) in Rule 10—

(*d*) If the interest on the note has remained undrawn for ten years or more;

(*e*) if the interest cages on the reverse of the note have been completely filled ;

Substitute the following for Rule 13 (2) :

(2) if no portion or no sufficient portion of the note so lost, stolen or destroyed has been produced,

(*a*) pay to the applicant, two years after the publication of the said list, and on the execution of an indemnity bond in the manner hereinafter prescribed, the interest in respect of note so lost, stolen or destroyed pending the issue of a duplicate note, and

(*b*) issue to the applicant a duplicate note in place of the note so lost, stolen or destroyed six years after the date of publication of the said list; provided that, if the date on which the note is due for repayment falls earlier than the date on which the said period of six years

expires, the Comptroller shall, within six weeks of the former date, invest the principal amount due on the note in the Mysore Government Savings Bank unless before the expiry of such period, the applicant has made a specific request for the investment of the amount in securities of any of the current loans of the Government of Mysore maturing not earlier than the date on which the duplicate is due for issue and in that case, shall invest the amount in such securities and deposit the balance, if any, left after such investment in Mysore Government Savings Bank. He shall repay the amount invested in such bank together with any interest which may have accrued thereon, and if any investment has been made in Government Securities shall deliver such securities together with the interest accrued thereon, to the applicant at the time when a duplicate note would otherwise have been issued.

Substitute the following for Rule 15 (2).

The Comptroller may direct that such indemnity bond shall be executed by the applicant alone or by the applicant and one or two sureties as he may think fit, or that in lieu of personal securities the applicant shall furnish collateral security in the shape of Government Securities, Savings Bank Deposits, Post Office Cash Certificates or Government of India Bonds to be deposited with him for such amount and period as he may think fit.

16 (2) For "All note" at the beginning of the sentence, substitute " All Mysore Government Promissory Notes. "

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21. Add the following as a proviso (a) noting the existing one as (b).—

Provided that no fee shall be payable,

(*a*) in respect of the conversion of a Government promissory note into a stock certificate, and,

22. Substitute the following for the first sentence and add the words "in lieu of personal sureties" after the words." think fit " at the end of the second sentence.

An indemnity bond taken on the issue of a renewed, converted, consolidated or sub-divided security shall be as nearly as may be in form XII and shall be for twice the amount of the security or securities as the case may be and shall be executed by the applicant alone or by the applicant and one or two sureties as may be directed by the Comptroller.

Substitute the following for Rule 26 (2).

Every such application shall state with precision the particulars (namely, the number, rate of interest, loan to which it belongs and the face value) of the security and shall contain a statement of the purpose for which the information is required and of the interest of the applicant in the security. If any of the above particulars are not known to the applicant the Comptroller may, on application being made to him, supply at his discretion, the required particular or particulars, if available, to the applicant, subject to such conditions and on payment of such fees, if any, as he may prescribe.

No. P. 6354—Legis., dated Bangalore, the 25th March 1936.

In exercise of the powers conferred on them under Sections 13 and 22 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to exempt from payment of all taxes and tolls due under the said Regulation, and also all tolls due under the three Municipal Regulations, the car of His Excellency the Governor-General of Portugese India, bearing the Portugese Coat of Arms and the initials of that Government, without any number, during His Excellency's journey and stay in the Mysore State in April and May 1936.

By Order,

M. VENKATESA IYENGAR,

General Secretary to Government.

Printed by the Superintendent at the Government Press, Bangalore

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BANGALORE, THURSDAY, APRIL 2, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. L. 7453—*Ml.* 133-34-9, *dated* 30*th March* 1936.

In exercise of the powers conferred by Section 228 (2) (c) of the Mysore City Municipalities Regulation, 1933, and all other powers in this behalf and in supersession of the existing rules on the subject, the Government are pleased to make the following rules for regulating the rates of fees for copying and search and grant of copies of public documents in the custody of City Municipal Councils in the State :—

Rules.

1. Except to a Municipal Councillor or a Government servant who is entitled, on formal application, to copies of such of the Municipal documents as are required by him in connection with *bona fide* Municipal matters or for Government purposes, no copy of any public document shall be given without the previous sanction of the President or the Municipal Commissioner as the case may be.

2. Fees shall be charged at the following rates for furnishing copies of public documents :—

	Rs.	a.	p.	
(1) for typing 100 English words	0	3	0	
(2) for copying 100 English words ...	0	2	0	
(3) for copying 100 Kannada words ...	0	1	6	
(4) for searching one year's records ...	1	0	0	
(5) for searching subsequent year's record ...	0	8	0	for every year.
(6) for searching khirdi extracts :—				
(i) for first year ...	0	12	0	
(ii) for subsequent years ...	0	6	0	for each year.
(7) for copying khirdi extracts :— (tabular statements)				
(i) for 12 years ...	0	12	0	
(ii) above 12 years ...	1	8	0	

If the original in respect of 1 to 3 above is a tabular statement, fees at double the above rates will be charged.

For every certified copy of a map, sketch or plan or any portion of a map or plan, a fee not exceeding Rs. 5 and not less than Re. 1 shall be charged at the discretion of the President or the Municipal Commissioner as the case may be.

3. Every fee payable in accordance with the foregoing scale shall be paid at the Municipal Office in cash in advance and in court fee stamps affixed to the application.

4. The amount of all fees so received shall be entered in a separate book to be kept for this purpose by the Manager of the Municipal Office.

5. The copying fees recovered as above will be apportioned as follows :—.

	Rs.	a.	p.	
(1) Typed copies	0	2	0	Typist
	0	1	0	Examiner
(2) English copies	0	1	4	Copyist
	0	0	8	Examiner
(3) Kannada copies	0	1	0	Copyist
	0	0	6	Examiner
(4) Khirdi extracts—				
(i) for 12 years ...	0	9	0	Copyist
	0	3	0	Examiner
(ii) above 12 years ...	1	2	0	Copyist
	0	6	0	Examiner
(5) For Map or Plan ...	3/4 fees—Copyist			
	1/4 fees—Examiner			
(6) Searching fee	Clerk who searches the records.			

6. Nothing in these rules shall be deemed to affect the provisions of the Stamp Regulation or Court Fees Regulation. The Stamp duty or Court fee with which any application, copy or extract made or furnished under these rules may be chargeable is to be deemed to be in addition to the fees prescribed by Rule 2 *supra* and care is to be taken that the rsquirements of the Stamp Regulation and Court Fee Regulation are properly fulfilled in respect of every such application, copy or extract.

7. No copies shall be given of any public document of which privilege can be claimed under Sections 123 and 124 of the Evidence Act.

8. All documents which the public have a right to inspect shall be open to inspection in the Municipal Office during the office hours.

9. No document of any kind belonging to the Municipal Council shall, on any account, be taken away from or sent out of the Municipal Office except with the previous permission of the President or the Municipal Commissioner as the case may be.

By Order,

A. V. RAMANATHAN,
Chief Secretary to Government.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M.—1175

The Mysore Gazette

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BANGALORE, THURSDAY, APRIL 9, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. G. 7901—Med. 186-35-5, dated Bangalore, 25th March 1936.

In exercise of the powers conferred by Sub-Section (1) of Section 25 of the Mysore Medical Registration Regulation V of 1931, Government are pleased to issue the following rules amending the existing rules 7 (5) and 8 for subsequent elections to the Mysore Medical Council.

Rule 7 (5).—On or before the date prescribed by the Medical Council in this behalf, the Returning Officer shall send by post to each elector, a voting paper in Form II signed by the Returning Officer, a certificate of posting being duly obtained.

Rule 8.—Every elector desirous of recording his vote shall send his voting paper preferably by Registered Post, to the Returning Officer, after recording his vote thereon in the manner prescribed therein.

No. P. 6639—Legis. 23-35-9, dated Bangalore, the 7th April 1936.

The following Draft Rule which the Government propose to make in exercise of the powers conferred upon them under Section 11 of the Mysore Motor Vehicles Regulation 1928, to the Mysore Motor Vehicles Rules 1924, published with Notification No. P. 3015—Legis. 21-22-10, dated 12th December 1924 amended from time to time, is published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 20th April 1936 and any suggestions or objections may be sent before that date.

"DRAFT AMENDMENT."

Add the following as Rule 4 A:—

"Duplicate Certificates of Registration."

"Upon sufficient cause being shown, the Registering authority may, at any time, grant a duplicate certificate of Registration on payment of half the Registration fee prescribed under these rules for that class of vehicles. Such duplicate certificate shall be endorsed with the word "Duplicate" written in red ink across it and shall for the purpose of these rules be deemed to be a certificate of Registration."

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

No. D. 6107—A. & E. 278-34-3, Dated Bangalore, 7th April 1936.

Draft rules under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, are published herewith for the information of the public. Criticisms, if any, on the draft rules may be sent to the undersigned on or before 1st May 1936 after which date the said rules will be taken into consideration.

By Order,

M. VENKATESA IYENGAR,
General Secretary to Government.

The Mysore Sugar Company, Limited, Bangalore.

In exercise of the powers conferred under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules :—

SECTION 1—LICENSING OF SUGAR FACTORIES.

1. Any person intending to carry on the business of manufacturing sugar in a factory shall apply for a license to the Secretary to the Government in the Department concerned.

2. The application shall bear a Court Fee Stamp of the value of Rs. 25.

3. Unless the application is summarily rejected, the particulars of the application and the conditions subject to which it is proposed to grant a license shall be published by the Government in the *Mysore Gazette*, fixing a date on or after which the matter will be taken into consideration together with any objections that may be received in the meantime.

4. The conditions of a license already granted may be varied by Government from time to time after giving adequate notice and an opportunity of urging objections, to the interests concerned.

5. (*a*) The minimum price or prices at which sugarcane shall be purchased by a factory shall be fixed and notified by Government from time to time.

(*b*) If an advisory Committee is established for the purpose of fixing the price or prices of sugarcane in any area, it shall consist of a Chairman and not less than three, and not more than six members nominated by the Government, of whom not less than one-third shall be chosen to represent the interests of the sugar factory or factories concerned and not less than one-third to represent the interests of sugarcane growers in the area. The Chairman shall be a person who has no interest directly or indirectly in the sugar industry.

(*c*) The Committee shall from time to time advise the Government as to the price or prices which may be fixed under Sub-Rule (*a*) and any matters connected therewith that may be referred to it by Government for advice.

(*d*) The Committee shall meet at such times and places as, subject to the orders of Government, if any, may be appointed by the Chairman.

(*e*) The opinion of the majority of the members present at a meeting shall be regarded as the opinion of the Committee. The Chairman shall have a casting vote.

(*f*) The proceedings of the Committee shall be reported to Government.

6. The "owner of a sugar factory" means a person to whom a license has been issued under Section 5 of the Regulation. The licensee may, with the approval of the District Magistrate, designate any person concerned with the management of the factory as "owner" for the purpose of any or all of these rules.

7. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugarcane for such factory from any person other than (i) the grower of such cane or a person representing himself to be such grower or (ii) a person duly authorised in writing by such a grower to sell and deliver cane on his behalf or (iii) a co-operative society for cane supply or (iv) a licensed purchasing agent.

8. Any person wishing to act as a purchasing agent for the supply of sugarcane to a sugar factory shall apply to the District Magistrate for a license; such license shall not be granted unless (i) a fee of Rs. 25 is deposited with the District Magistrate, (ii) the application is recommended by the factory owner and (iii) the applicant has deposited with the owner the amount prescribed in Rule 9.

9. Such licensed Purchasing Agent shall deposit with the owner of a factory a sum of Rs. 500 in cash or adequate security of four times that value for the proper performance of his duties as Purchasing Agent.

10. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugarcane for a factory or pay for it at a price below the minimum price fixed by Government from time to time.

11. (*a*) All payments for cane purchased for a sugar factory shall be made at the office of the factory or such other place as may be approved by the District Magistrate, within 14 days of demand, and in cases where no cultivation or cutting advances are given by the

factory, the payment shall be made forthwith on demand.

(*b*) Except as provided in sub-rules (*c*), (*d*) and (*e*) of this Rule, no deductions shall be made by way of fine or otherwise from the price of cane purchased which would reduce such price to a figure below that calculated at the prescribed minimum rate.

(*c*) If any loan has been advanced to the person from whom the sugarcane has been purchased, the amount of such loan together with simple interest thereon at a rate not exceeding 1 per cent per month for the period the loan has been outstanding, may be deducted subject to the terms of the agreement, from the amount paid for the cane.

(*d*) Where with the consent of the supplier, transport of the cane to the factory is arranged by the owner of the factory by railway or otherwise, the actual cost of such transport incurred by the owner may be deducted from the amount payable as price of cane.

(*e*) If any officer of Land Revenue not below the status of Amildar intimates to the owner of a sugar factory that any amount is owing from a cane supplier on account of land revenue in respect of a land from which the cane is supplied to the factory, such amount shall be deducted from the amount payable for the cane and paid to such Amildar or other Revenue Officer.

12. No scales or weights shall be used for purposes of purchasing sugarcane by or on behalf of the owner of a sugar factory or a licensed purchasing agent, which have been disapproved by the District Magistrate.

(*a*) Provided that the District Magistrate shall not disapprove any scales and weights which weigh correctly to near 2 per cent.

(*b*) All scales and weights used, kept or possessed for the purchase of sugarcane, shall be open to inspection, examination and test by the District Magistrate or any other Magistrate authorised in this behalf by the District Magistrate, at all times without notice and shall be made available for such inspection, examination or test when required by such Magistrate.

13. (*a*)—The owner of a sugar factory or a licensed purchasing agent (other than a co-operative society for cane supply) shall cause to be put up throughout the cane purchasing season, at each purchasing centre, a notice

showing correctly the minimum price or prices fixed by Government and the rates at which cane is being purchased for the sugar factory at that centre.

(*b*) Entries in such notices shall be made legibly both in English and Kannada and shall be on one side of the paper only.

14. The owner of a sugar factory shall cause to be maintained a register or registers showing :—

(*a*) the name of the person from whom sugarcane is purchased, with his parentage and full address, together with similar particulars about the person, if any, authorised by the vendor to deliver the cane on his behalf ;
(*b*) Weight of the cane purchased ;
(*c*) the rate at which it is purchased ;
(*d*) the price that is to be paid for it at that rate ;
(*e*) the amount of loan advanced, if any ;
(*f*) the amount of interest up to the date of recovery of the same, if any ;
(*g*) other deductions such as transport charges, land revenue payments, etc.,
(*h*) the amount actually paid, if any ;
(*i*) the date of payment ;
(*j*) the name of the licensed purchasing agent or the person employed by the owner of the sugar factory and acting on his behalf, by whom the sugarcane is purchased.

15. Whoever, being the owner of a sugar factory or being a licensed purchasing agent for a sugar factory,

(*a*) purchases sugarcane for a sugar factory or pays for it at a price below the prescribed minimum price ;
(*b*) fails to make payments for cane purchased for a sugar factory in accordance with the provisions of rule 11 ;
(*c*) knowingly uses for the purchase of sugarcane, scales and weights which are incorrect or which have been disapproved by the District Magistrate and have not been rectified to his satisfaction ;
(*d*) fails to make available for inspection, examination or test by the officer authorised in this behalf, the scales and weights used, kept or possessed for weighing sugarcane purchased for a sugar factory ;
(*e*) fails to put up in the manner prescribed any notice required by these rules or puts up a notice which is proved to be incorrect in any material particular ;
(*f*) fails to maintain any register as required by these rules or maintains a register containing an entry which is proved to be incorrect in any material particular ;
(*g*) destroys such register before the expiry of one year from the date of the last entry therein ;
(*h*) fails to make available the register for the inspection of the officer authorised in this behalf when required by him ;

Shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200 and if a licensed purchasing agent shall render himself liable to the confiscation of his license.

16. Whoever, not being a licensed purchasing agent, purchases sugarcane for a sugar factory shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200.

17. Any person selling sugarcane to a sugar factory, falsely representing himself as the grower of such cane or as a person duly authorised by the grower, shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200.

18. The Government may, for special reasons, exempt the owner or licensed purchasing agent of any sugar factory from all or any of the provisions of these rules.

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BANGALORE, THURSDAY, APRIL 16, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. R. 5531—L. S. 66-35-3, dated Bangalore, the 9th April 1936.

Under Section 17 (1) of the Record of Rights Regulation X of 1927, the following draft amendment to Rule 38-A of the Rules under the said Regulation is published for the information of all persons likely to be affected thereby. Objections or suggestions that, any person may wish to urge in regard to the proposed amendment, may be communicated to the Chief Secretary to Government so as to reach him on or before 10th May 1936 after which date the amendment will be taken up for final consideration.

Add the following as a sub-para under Rule 38 A of the Rules :—

"No fee shall be charged in the case of grant of lands on darkhasts to private individuals."

No. P. 6781—Pol. 139-35-5, Bangalore, dated 9—14th April 1936.

In exercise of the powers conferred by Section 12 of the Mysore Arms Regulation, VI of 1890, as amended from time to time the Government of His Highness the Maharaja are pleased to direct that the following amendment shall be made in the Mysore Arms Rules, 1926, namely :—

In proviso (*b*) to sub-rule 3 of Rule 19 remove the semi-colon and insert a coma instead and add the words "X or XI" after the words "Form IX" and insert the semi-colon after the word "XI."

Proviso (*b*) to sub-rule 3 of Rule 19 will, after the amendment, read as follows :—

(*b*) "any Officer empowered by Government may renew a license in Form IX, X or XI; and"

By Order,

A. V. RAMANATHAN,
Chief Secretary to Government.

No. D. 6107—A. & E. 278-34-3, dated Bangalore, 7th April 1936.

Draft rules under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, are published herewith for the information of the public. Criticisms, if any, on the draft rules may be sent to the undersigned on or before 1st May 1936 after which date the said rules will be taken into consideration.

By Order,

M. VENKATESA IYENGAR,
General Secretary to Government.

In exercise of the powers conferred under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules :—

SECTION 1—LICENSING OF SUGAR FACTORIES.

1. Any person intending to carry on the business of manufacturing sugar in a factory shall apply for a license to the Secretary to the Government in the Department concerned.

2. The application shall bear a Court Fee Stamp of the value of Rs. 25.

3. Unless the application is summarily rejected, the particulars of the application and the conditions subject to which it is proposed to grant a license shall be published by the Government in the *Mysore Gazette*, fixing a date on or after which the matter will be taken into consideration together with any objections that may be received in the meantime.

4. The conditions of a license already granted may be varied by Government from time to time after giving adequate notice and an opportunity of urging objections, to the interests concerned.

5. (*a*) The minimum price or prices at which sugarcane shall be purchased by a factory shall be fixed and notified by Government from time to time.

(*b*) If an advisory Committee is established for the purpose of fixing the price or prices of sugarcane in any area, it shall consist of a Chairman and not less than three, and not more than six members nominated by the Government, of whom not less than one-third shall be chosen to represent the interests of the sugar factory or factories concerned and not less than one-third to represent the interests of sugar-cane growers in the area. The Chairman shall be a person who has no interest directly or indirectly in the sugar industry.

(*c*) The Committee shall from time to time advise the Government as to the price or prices which may be fixed under Sub-Rule (*a*) and any matters connected therewith that may be referred to it by Government for advice.

(*d*) The Committee shall meet at such times and places as, subject to the orders of Government, if any, may be appointed by the Chairman.

(*e*) The opinion of the majority of the members present at a meeting shall be regarded as the opinion of the Committee. The Chairman shall have a casting vote.

(*f*) The proceedings of the Committee shall be reported to Government.

6. The "owner of a sugar factory" means a person to whom a license has been issued under Section 5 of the Regulation. The licensee may, with the approval of the District Magistrate, designate any person concerned with the management of the factory as "owner" for the purpose of any or all of these rules.

7. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugarcane for such factory from any person other than (i) the grower of such cane or a person representing himself to be such grower or (ii) a person duly authorised in writing by such a grower to sell and deliver cane on his behalf or (iii) a co-operative society for cane supply or (iv) a licensed purchasing agent.

8. Any person wishing to act as a purchasing agent for the supply of sugarcane to a sugar factory shall apply to the District Magistrate for a license; such license shall not be granted unless (i) a fee of Rs. 25 is deposited with the District Magistrate, (ii) the application is recommended by the factory owner and (iii) the applicant has deposited with the owner the amount prescribed in Rule 9.

9. Such licensed Purchasing Agent shall deposit with the owner of a factory a sum of Rs. 500 in cash or adequate security of four times that value for the proper performance of his duties as Purchasing Agent.

10. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugarcane for a factory or pay for it at a price below the minimum price fixed by Government from time to time.

11. (*a*) All payments for cane purchased for a sugar factory shall be made at the office of the factory or such other place as may be approved by the District Magistrate, within 14 days of demand, and in cases where no cultivation or cutting advances are given by the factory, the payment shall be made forthwith on demand.

(*b*) Except as provided in sub-rules (*c*), (*d*) and (*e*) of this Rule, no deductions shall be made by way of fine or otherwise from the price of cane purchased which would reduce such price to a figure below that calculated at the prescribed minimum rate.

(*c*) If any loan has been advanced to the person from whom the sugarcane has been purchased, the amount of such loan together with simple interest thereon at a rate not exceeding 1 per cent per month for the period the loan has been outstanding, may be deducted subject to the terms of the agreement, from the amount paid for the cane.

(*d*) Where with the consent of the supplier, transport of the cane to the factory is arranged by the owner of the factory by railway or otherwise, the actual cost of such transport incurred by the owner may be deducted from the amount payable as price of cane.

(*e*) If any officer of Land Revenue not below the status of Amildar intimates to the owner of a sugar factory that any amount is owing from a cane supplier on account of land revenue in respect of a land from which the cane is supplied to the factory, such amount shall be deducted from the amount payable for the cane and paid to such Amildar or other Revenue Officer.

12. No scales or weights shall be used for purposes of purchasing sugarcane by or on behalf of the owner of a sugar factory or a licensed purchasing agent, which have been disapproved by the District Magistrate.

(*a*) Provided that the District Magistrate shall not disapprove any scales and weights which weigh correctly to near 2 per cent.

(*b*) All scales and weights used, kept or possessed for the purchase of sugarcane, shall be open to inspection, examination and test by the District Magistrate or any other Magistrate authorised in this behalf by the District Magistrate, at all times without notice and shall be made available for such inspection, examination or test when required by such Magistrate.

13. (*a*)—The owner of a sugar factory or a licensed purchasing agent (other than a co-operative society for cane supply) shall cause to be put up throughout the cane purchasing season, at each purchasing centre, a notice showing correctly the minimum price or prices fixed by Government and the rates at which cane is being purchased for the sugar factory at that centre.

(*b*) Entries in such notices shall be made legibly both in English and Kannada and shall be on one side of the paper only.

14. The owner of a sugar factory shall cause to be maintained a register or registers showing :—

(a) the name of the person from whom sugarcane is purchased, with his parentage and full address, together with similar particulars about the person, if any, authorised by the vendor to deliver the cane on his behalf ;
(b) Weight of the cane purchased ;
(c) the rate at which it is purchased ;
(d) the price that is to be paid for it at that rate ;
(e) the amount of loan advanced, if any ;
(f) the amount of interest up to the date of recovery of the same, if any ;
(g) other deductions such as transport charges, land revenue payments, etc.,
(h) the amount actually paid, if any ;
(i) the date of payment ;
(j) the name of the licensed purchasing agent or the person employed by the owner of the sugar factory and acting on his behalf, by whom the sugarcane is purchased.

15. Whoever, being the owner of a sugar factory or being a licensed purchasing agent for a sugar factory,

(a) purchases sugarcane for a sugar factory or pays for it at a price below the prescribed minimum price ;
(b) fails to make payments for cane purchased for a sugar factory in accordance with the provisions of rule 11 ;
(c) knowingly uses for the purchase of sugarcane, scales and weights which are incorrect or which have been disapproved by the District Magistrate and have not been rectified to his satisfaction ;
(d) fails to make available for inspection, examination or test by the officer authorised in this behalf, the scales and weights used, kept or possessed for weighing sugarcane purchased for a sugar factory ;
(e) fails to put up in the manner prescribed any notice required by these rules or puts up a notice which is proved to be incorrect in any material particular ;
(f) fails to maintain any register as required by these rules or maintains a register containing an entry which is proved to be incorrect in any material particular ;
(g) destroys such register before the expiry of one year from the date of the last entry therein ;
(h) fails to make available the register for the inspection of the officer authorised in this behalf when required by him ;

Shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200 and if a licensed purchasing agent shall render himself liable to the confiscation of his license.

16. Whoever, not being a licensed purchasing agent, purchases sugarcane for a sugar factory shall on conviction

before a Magistrate be punishable with fine which may extend to Rs. 200.

17. Any person selling sugarcane to a sugar factory, falsely representing himself as the grower of such cane or as a person duly authorised by the grower, shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200.

18. The Government may, for special reasons, exempt the owner or licensed purchasing agent of any sugar factory from all or any of the provisions of these rules.

No. Re. 467—L. C. 1-35-5, dated Bangalore, the 11th April 1936.

Under standing order No. 49 of the standing orders for the conduct of business of the Mysore Legislative Council, the following report of the select committee on the Bill to define and amend the Law relating to Partnership is published for general information.

By Order,

C. SUBRAHMANYA IYER,
Secretary,
Mysore Legislative Council.

Report of the Select Committee on the Bill to define and amend the Law relating to Partnership.

We, the Members of the Select Committee to which the Bill to define and amend the Law relating to Partnership was referred, have carefully examined the clauses of the Bill and have no changes to suggest. Minor alterations have been made in Clauses 56 and 70 as follows :—

(1) Clause 56 has been recast as under :

"The Government may, by notification in the Official *Gazette*, extend the provisions of this chapter to the whole or any part of Mysore specified in the notification or cancel any such notification."

(2) In Clause 70, insert the word "simple" before "imprisonment" and the words "which may extend to Rs. 500" after the words "or with fine."

As the Bill has not been changed in any material particular, we recommend that it need not be republished.

S. P. Rajagopalachari (*Chairman*).
J. Mahomed Imam.
B. K. Garuda Char.
C. Hayavadana Rao.
P. Subbarama Chetty.
A. R. Nagesvara Iyer.
S. Abdul Wajid.
M. G. Mehkri.
D. Srinivasa Iyengar.

BANGALORE,
Dated 7th April 1936.

Printed by the Superintendent at the Government Press, Bangalore.

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BANGALORE, THURSDAY, APRIL 23, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 6803—Pol. 139-35-6, dated Bangalore, 9—15th April 1936.

In exercise of the powers conferred by proviso (*b*) to sub-rule 3 of Rule 19 of the Mysore Arms Rules, 1926, the Government of His Highness the Maharaja are pleased to empower the Amildars of Taluks and Deputy Amildars of Sub-Taluks to renew licenses in Form IX, X or XI.

No. P. 6941—Legis. 77-35-1, dated Bangalore, 20th—21st April 1936.

The following draft of a Bill to remove certain disabilities arising from change of religion or deprivation of caste is published for general information.

All persons interested in the subject are invited to send their opinion to the Chief Secretary to the Government of Mysore within two months from this date.

By Order,
A. V. RAMANATHAN,
Chief Secretary to Government.

Draft Bill.

Whereas it is expedient to remove certain disabilities arising from change of religion or deprivation of caste, it is hereby enacted as follows :—

1. (i) This Regulation may be called the Regulation for the removal of Religious and Caste Disabilities.

(ii) It extends to the whole of Mysore.

(iii) It shall come into force at once.

2. No person and no heir or representative of such person shall, merely by reason of his having renounced or being excluded from any religion or of his being deprived of caste,

(i) be divested of any vested interest to or in property;

(ii) be deprived of any right of inheritance or personal right.

Provided that no person and no heir or representative of such person shall by reason of this enactment be entitled to retain or acquire any property or right or to exercise any right peculiar or only appropriate to the religion which he has renounced or from which he has been excluded or peculiar or only appropriate to the caste of which he has been deprived.

Illustrations.

(*a*) A is a trustee for an endowment of his religion. Out of that endowment he is entitled to provide for his own residence and maintenance. On being converted to another religion, he will cease to retain his interest in the endowment.

(*b*) A, a Hindu with vested interest in joint family property, is converted to Christianity. He will, on conversion, retain his interest in that property, but without the incidents peculiar or only appropriate to members of a joint Hindu family.

(*c*) A, a Hindu, dies intestate, leaving him surviving a legitimate son B, a converted Christian. B will succeed A as heir, not by survivorship as a Hindu co-parcener.

(*d*) A, a Hindu, dies leaving him surviving a legitimate son B, a converted Christian. A, before his death, has disposed of his property by a valid will. A's property will follow the dispositions of that will.

(*e*) A, a Musalman, with four legally married wives, is converted to Christianity. A, after his conversion, will not be able to divorce them by ceremonies under the Mahommedan law.

(*f*) A, a Hindu with Hindu sons, becomes a Mussalman. After conversion, he will not be able to exercise the right of a Hindu father to give one of his Hindu sons in adoption to a Hindu

(*g*) A Hindu Brahmin voluntarily renounces his caste rules and becomes an ascetic. He will not be affected by this Regulation.

3. No person and no heir or representative of such person shall, by reason merely of another person having renounced or being excluded from any religion or being deprived of caste.

(i) be divested or deprived of any property, right of inheritance or personal right which he would have held had such other person remained in that Religion or Caste ;

(ii) be forced to any act or to suffer any act inconsistent with or not appropriate to his own Religion or Caste.

Explanation.—The Religion or Caste of any person shall be presumed to be that in which he was born. A Court shall, till the contrary is shown, presume that it is for the advantage of a minor to remain in the Religion or Caste in which he was born.

Illustrations.

(*a*) A and B are Hindu full brothers and C their half brother. A becomes a Christian. B's right of inheritance to A will not be affected by C becoming a Christian.

(*b*) A, a Hindu, having a share and a right to live in the joint family house, becomes a Christian. He cannot, contrary to the will of the Hindu members of the family, enforce his right to live himself in the joint family house.

(*c*) A, a Christian man, has a Christian wife B. A becomes a Mussalman and marries a second wife by ceremonies under the Mahommedan Law. A will remain liable for the maintenance of B, and B will retain her right to divorce him, if she chooses, according to the law applicable to Christians. But A cannot enforce against her any conjugal rights, nor divorce her, except, for reasons and in the manner allowed by the law applicable to Christians.

(*d*) A, a Christian man, with minor Christian children, becomes a Mussalman. He will remain liable for their maintenance. But he cannot enforce against them any right of guardianship inconsistent with their religion, such as circumscising his minor sons or giving his minor daughters in marriage to Mussalmans with ceremonies which subject them to Mahommedan Law.

(*e*) A, son of B, a Hindu, becomes a Christian, and is consequently deprived of caste. B will have the same right of adoption as he would have held if A had become an out-caste or disqualified son while remaining a Hindu; but the adoption, if made, will not operate to deprive A of property or rights to which A is entitled under Section 2 of this Regulation.

(*f*) A, son of B, a Hindu, becomes a Christian. After the conversion of A, another son C is born to B. C will have the same rights in respect of ancestral property as he would have had if A had remained a Hindu; but the birth of C will not otherwise affect the rights of A under Section 2 of this Regulation.

No. D. 6107—A. & E. 278-34-3, dated Bangalore, 7th April 1936.

Draft rules under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, are published herewith for the information of the public. Criticisms, if any, on the draft rules may be sent to the undersigned on or before 1st May 1936 after which date the said rules will be taken into consideration.

By Order,

M. VENKATESA IYENGAR,
General Secretary to Government.

In exercise of the powers conferred under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules :—

SECTION 1—LICENSING OF SUGAR FACTORIES.

1. Any person intending to carry on the business of manufacturing sugar in a factory shall apply for a license to the Secretary to the Government in the Department concerned.

2. The application shall bear a Court Fee Stamp of the value of Rs. 25.

3. Unless the application is summarily rejected, the particulars of the application and the conditions subject to which it is proposed to grant a license shall be published by the Government in the *Mysore Gazette*, fixing a date on or after which the matter will be taken into consideration together with any objections that may be received in the meantime.

4. The conditions of a license already granted may be varied by Government from time to time after giving adequate notice and an opportunity of urging objections, to the interests concerned.

5. (*a*) The minimum price or prices at which sugarcane shall be purchased by a factory shall be fixed and notified by Government from time to time.

(*b*) If an advisory Committee is established for the purpose of fixing the price or prices of sugarcane in any area, it shall consist of a Chairman and not less than three, and not more than six members nominated by the Government, of whom not less than one-third shall be chosen to represent the interests of the sugar factory or factories concerned and not less than one-third to represent the interests of sugar-cane growers in the area. The Chairman shall be a person who has no interest directly or indirectly in the sugar industry.

(*c*) The Committee shall from time to time advise the Government as to the price or prices which may be fixed under Sub-Rule (*a*) and any matters connected therewith that may be referred to it by Government for advice.

(*d*) The Committee shall meet at such itmes and places as, subject to the orders of Government, if any, may be appointed by the Chairman.

(*e*) The opinion of the majority of the members present at a meeting shall be regarded as the opinion of the Committee. The Chairman shall have a casting vote.

(*f*) The proceedings of the Committee shall be reported to Government.

6. The "owner of a sugar factory" means a person to whom a license has been issued under Section 5 of the Regulation. The licensee may, with the approval of the District Magistrate, designate any person concerned with the management of the factory as "owner" for the purpose of any or all of these rules.

7. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugarcane for such factory from any person other than (i) the grower of such cane or a person representing himself to be such grower or (ii) a person duly authorised in writing by such a grower to sell and deliver cane on his behalf or (iii) a co-operative society for cane supply or (iv) a licensed purchasing agent.

8. Any person wishing to act as a purchasing agent for the supply of sugarcane to a sugar factory shall apply to the District Magistrate for a license; such license shall not be granted unless (i) a fee of Rs. 25 is deposited with the District Magistrate, (ii) the application is recommended by the factory owner and (iii) the applicant has deposited with the owner the amount prescribed in Rule 9.

9. Such licensed Purchasing Agent shall deposit with the owner of a factory a sum of Rs. 500 in cash or adequate security of four times that value for the proper performance of his duties as Purchasing Agent.

10. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugarcane for a factory or pay for it at a price below the minimum price fixed by Government from time to time.

11. (*a*) All yments for cane purchased for a sugar factory shall be made at the office of the factory or such other place as may be approved by the District Magistrate, within 14 days of demand, and in cases where no cultivation or cutting advances are given by the factory, the payment shall be made forthwith on demand.

(*b*) Except as provided in sub-rules (*c*), (*d*) and (*e*) of this Rule, no deductions shall be made by way of fine or otherwise from the price of cane purchased which would reduce such price to a figure below that calculated at the prescribed minimum rate.

(*c*) If any loan has been advanced to the person from whom the sugarcane has been purchased, the amount of such loan together with simple interest thereon at a rate not exceeding 1 per cent per month for the period the loan has been outstanding, may be deducted subject to the terms of the agreement, from the amount paid for the cane.

(*d*) Where with the consent of the supplier, transport of the cane to the factory is arranged by the owner of the factory by railway or otherwise, the actual cost of such transport incurred by the owner may be deducted from the amount payable as price of cane.

(*e*) If any officer of Land Revenue not below the status of Amildar intimates to the owner of a sugar factory that any amount is owing from a cane supplier on account of land revenue in respect of a land from which the cane is supplied to the factory, such amount shall be deducted from the amount payable for the cane and paid to such Amildar or other Revenue Officer.

12. No scales or weights shall be used for purposes of purchasing sugarcane by or on behalf of the owner of a sugar factory or a licensed purchasing agent, which have been disapproved by the District Magistrate.

(*a*) Provided that the District Magistrate shall not disapprove any scales and weights which weigh correctly to near 2 per cent.

(*b*) All scales and weights used, kept or possessed for the purchase of sugarcane, shall be open to inspection, examination and test by the District Magistrate or any other Magistrate authorised in this behalf by the District Magistrate, at all times without notice and shall be made available for such inspection, examination or test when required by such Magistrate.

13. (*a*)—The owner of a sugar factory or a licensed purchasing agent (other than a co-operative society for cane supply) shall cause to be put up throughout the cane purchasing season, at each purchasing centre, a notice showing correctly the minimum price or prices fixed by Government and the rates at which cane is being purchased for the sugar factory at that centre.

(*b*) Entries in such notices shall be made legibly both in English and Kannada and shall be on one side of the paper only.

14. The owner of a sugar factory shall cause to be maintained a register or registers showing :—

(*a*) the name of the person from whom sugarcane is purchased, with his parentage and full address, together with similar particulars about the person, if any, authorised by the vendor to deliver the cane on his behalf ;
(*b*) Weight of the cane purchased ;
(*c*) the rate at which it is purchased ;
(*d*) the price that is to be paid for it at that rate ;
(*e*) the amount of loan advanced, if any ;
(*f*) the amount of interest up to the date of recovery of the same, if any ;
(*g*) other deductions such as transport charges, land revenue payments, etc.,
(*h*) the amount actually paid, if any ;
(*i*) the date of payment ;
(*j*) the name of the licensed purchasing agent or the person employed by the owner of the sugar factory and acting on his behalf, by whom the sugarcane is purchased.

15. Whoever, being the owner of a sugar factory or being a licensed purchasing agent for a sugar factory,

(*a*) purchases sugarcane for a sugar factory or pays for it at a price below the prescribed minimum price ;
(*b*) fails to make payments for cane purchased for a sugar factory in accordance with the provisions of rule 11 ;
(*c*) knowingly uses for the purchase of sugarcane, scales and weights which are incorrect or which have been disapproved by the District Magistrate and have not been rectified to his satisfaction ;
(*d*) fails to make available for inspection, examination or test by the officer authorised in this behalf, the scales and weights used, kept or possessed for weighing sugarcane purchased for a sugar factory ;
(*e*) fails to put up in the manner prescribed any notice required by these rules or puts up a notice which is proved to be incorrect in any material particular ;
(*f*) fails to maintain any register as required by these rules or maintains a register containing an entry which is proved to be incorrect in any material particular ;
(*g*) destroys such register before the expiry of one year from the date of the last entry therein ;
(*h*) fails to make available the register for the inspection of the officer authorised in this behalf when required by him ;

Shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200 and if a licensed purchasing agent shall render himself liable to the confiscation of his license.

16. Whoever, not being a licensed purchasing agent, purchases sugarcane for a sugar factory shall on conviction

before a Magistrate be punishable with fine which may extend to Rs. 200.

17. Any person selling sugarcane to a sugar factory, falsely representing himself as the grower of such cane or as a person duly authorised by the grower, shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200.

18. The Government may, for special reasons, exempt the owner or licensed purchasing agent of any sugar factory from all or any of the provisions of these rules.

No. P. 6529—Legis. 46-35, dated Bangalore, the 30th March—17th April 1936.

Subject.—Reciprocal arrangements between the Civil and Military Station of Bangalore and the Mysore Government in the matter of taxes and tolls on motor vehicles.

In virtue of powers vested in them under Sections 13, 22 and 31 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to exempt from taxes, in the manner and to the extent specified below, the following motor vehicles of the Civil and Military Station, Bangalore, which carry the current tax licenses or tokens of

the Civil and Military Station, Bangalore, and which are not kept in the State :—

Sl. No.	Class of Vehicle	Nature and extent of exemption	Remarks
1	Private motor cars and motor cycles.	(i) Exempt from vehicle tax in the whole of Mysore. (ii) Exempt from Municipal tolls throughout Mysore.	Eligible to composition of tolls under Sections 20 and 21 of the Regulation.
2	Motor lorries—private and those let or plied for hire.	(i) Exempt from Road Tax. (ii) Exempt from Municipal tolls of Bangalore City.	These lorries must obtain permits for the use of the roads in Mysore from the District Magistrate, Bangalore.
3	Motor cabs ...	(i) Exempted from Service Tax. (ii) Exempt from Municipal tolls of Bangalore City.	(i) Eligible to composition under Sections 20 and 21. (ii) Must obtain permit for plying beyond Bangalore City.
4	Motor buses permitted to ply for hire between Bangalore City and Civil and Military Station.	Exempt from Service Tax to the extent of permit fees paid in the Civil and Military Station *prorata* for the quarter, *i.e.*, a reduction in Service Tax at the rate of Rs. 2-8-0 per seat per quarter on production of the current permit of the Civil and Military Station.	Must obtain permits from the District Magistrate, Bangalore, for plying in any part of Mysore.

2. This will come into force on and from the 1st of April 1936.

No. P. 6901—Legis. 46-35, dated Bangalore, 15—17th April 1936.

In exercise of powers conferred on them under Section 13 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to grant, in respect of motor buses kept in the Mysore State and permitted to play for hire between Bangalore City and the Civil and Military Station, a reduction in the rate of Service Tax to the extent of permit fees paid in the Civil and Military Station, *viz.*, a reduction of Rs. 2-8-0 per seat per quarter.

No. P. 6902—Legis. 46-35, dated Bangalore, 17th April 1936.

In virtue of powers vested in them under the proviso to Sub-Section 6 of Section 9 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to exempt with effect from 1st April 1936 the motor vehicles of the Civil and Military Station specified below from the provisions of the said Sub-Section, when such vehicles are using the roads in the areas specified below :—

Sl. No.	Class of vehicle	The area in which the vehicle is exempt from provisions of Sub-Section 6	Remarks
1	Private motor cars and cycles	Whole of Mysore.	
2	Motor lorries, private and those let or plied for hire.	Do	
3	Motor cabs ...	Bangalore City.	

2. They are further pleased to direct that in the case of the vehicles specified, the licenses or tokens indicating payment of taxes in the Civil and Military Station shall be deemed to be sufficient to indicate exemption and that these vehicles shall not be required to exhibit the licenses of Mysore in the area in which they are thus exempted.

3. The said license or token of the Civil and Military Station shall be carried on the vehicle in the manner prescribed in Rule No. 16 of the Mysore Motor Vehicles Tax Rules.

No. P. 6935 Legis. 46-35, dated Bangalore, the 20th—21st April 1936.

The following Draft Rules which the Government propose to make in exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation 1928, and Sections 5 and 23 (3) of the Mysore Road Traffic and Taxes Regulation VI of 1935 is hereby published for the information of the persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 7th of May 1936 and that any suggestions or objections which may be received from any person in respect of the said rules will be considered by Government.

These draft rules will be in lieu of the existing rules 88 to 93 (both inclusive) of the Public Service Motor Vehicles Rules published with Notification No. P. 3992—Legis. 46-35, dated 18th December 1935.

Draft Rules:—

APPEALS AND REVISION.

88. The Board may, either on its own motion or on an application made in this behalf, call for and examine the record of any enquiry or the proceedings of any officer under these rules, for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer. If, in any case, it shall appear to the Board that any decision or order or proceedings so called for should be modified, annulled or reversed, the Board may pass such order thereon as it may deem fit.

89. Subject to the powers of revision vested in the Board, the order of a District Magistrate granting or refusing a permit under these rules and all orders regarding time-table and frequency of services and conditions

attached to the permit and other similar matters passed by a District Magistrate shall be final.

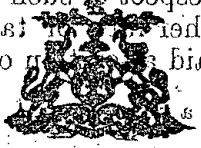
90. In any application for revision under the foregoing rules, the Board may, pending the disposal of the application, direct the execution of the decision or order complained against to be suspended.

91. The power of the Board under any of the foregoing rules may be exercised by the Chairman or by any other member or members of the Board as may be authorised by the Chairman in this behalf.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.



The Mysore Gazette

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BANGALORE, THURSDAY, APRIL 30, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 7162—Legis., dated Bangalore, 24—28th April 1936.

The following Draft Rules which the Government propose to make in exercise of the powers conferred upon them by Section 33 of the Mysore Road Traffic and Taxes Regulation VI of 1935, is hereby published for the information of the persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th May 1936 and that any suggestions or objections which may be received from any person in respect of the said rules will be considered by Government.

Draft Rules.

When any motor vehicle in respect of which a tax has been paid is altered or used in such manner as to cause the vehicle to become a vehicle in respect of which a higher rate of tax is payable, the registered owner or person who is in possession or control of such vehicle shall pay an additional tax of a sum which is equal to the difference between the tax already paid and the tax

which is payable in respect of such vehicle for the quarter during which the higher rate of tax becomes payable in consequence of the said alteration or use.

NOTE.—In regard to a motor car subsequently used as a motor cab, the tax which shall be regarded as paid in respect of the vehicle for a quarter shall, for purposes of this rule, be reckoned at one-fourth the annual or half the half-yearly tax.

No. P. 7228—Legis. 23-35-10, dated Bangalore 28—29th April 1936.

In exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation 1928, the Government of His Highness the Maharaja are pleased to issue the following amendment to the Mysore Motor Vehicles Rules 1924, as amended from time to time, the draft amendment in the said behalf having been notified with Notification No. P. 6639—Legis. 23-35-9, dated 7th April 1936 at page 122, Part IV of the *Mysore Gazette* dated 9th April 1936.

AMENDMENT.

Add the following as Rule 4-A:—

"DUPLICATE CERTIFICATES OF REGISTRATION."

"Upon sufficient cause being shown, the Registering authority may, at any time, grant a duplicate certificate of Registration on payment of half the Registration fee prescribed under these rules for that class of vehicles. Such duplicate certificate shall be endorsed with the word "Duplicate" written in red ink across it and shall for the purpose of these rules be deemed to be a certificate of Registration."

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M.—1175

The Mysore Gazette

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BANGALORE, THURSDAY, MAY 7, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 7317—Legis. 64-35-2, Bangalore dated 1st—4th May 1936.

In exercise of the powers conferred on them by Section 13 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to exempt from mileage cess leviable under Schedule II D, of the above Regulation, the motor buses plying for hire between Kuppam and Palmaner on the Kuppam-Palmaner Road and to reduce the Service Tax payable by the said motor buses to annas 12 per seat per quarter, subject to a minimum of Rs. 15 per bus per quarter.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.

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The Mysore Gazette

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BANGALORE, THURSDAY, MAY 14, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. 3642—L. C., dated Bangalore, the 8th May 1936.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill to amend the Workmen's Compensation Regulation No. XIV of 1928, is published for general information.

By Order,

C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE ON THE BILL TO AMEND THE WORKMEN'S COMPENSATION REGULATION, XIV OF 1928.

We, the undersigned Members of the Select Committee to which the Bill to amend the Workmen's Compensation Regulation, XIV of 1928 was referred, have considered the Bill and have now the honour to submit this our Report together with a copy of the Bill as amended by us.

2. *Clause 2.*—We consider that an adopted son should be included as a dependant under Section 2 (*d*) (1). The words "a minor adopted son" may be inserted after the words "a minor legitimate son" in sub-clause (*a*) (i) of clause 2.

One of the members suggested that foster son should be included as a dependant. But the general opinion of the Committee was against this.

3. *Section 3, sub-section 2 of the Regulation.*—It is proposed by the Bill to add to Schedule III and thus increase the list of occupational diseases. The effect is to make Section 3 (2) applicable to these diseases. The contracting of such disease by any workman will be deemed to be an injury by accident liable to be compensated and unless the employer proves the contrary, the accident shall be deemed to have arisen out of and in the course of the particular employment. Since the burden of proving the negative lies on the person under whom the workman has been last employed and the nature of the disease is such that it can be contracted only by gradual process, it is necessary to prescribe certain rules and conditions to ensure that the claim for compensation is limited to cases in which the liability of the employer can be reasonably inferred. For this purpose it may be necessary to institute a system of medical examinations so that there may be recorded evidence as to when a workman has contracted an occupational disease. Further where there is a doubt as to whether death is due solely or mainly to an occupational disease contracted in the course of employment, it may be necessary to subject the body of a deceased workman to autopsy to ascertain the cause of death. Consequently, it is proposed to add a sub-section making the right to compensation in respect of an

occupational disease conditional on compliance, by the workman or their dependants, as the case may be, with such requirements as may be prescribed in regard to medical examination, autopsy, etc. In order to give effect to this, the following may be added as sub-clause (*c*) in clause 3 of the Bill, sub-clause (*c*) in the Bill being re-numbered as sub-clause (*d*) :—

(*c*) after sub-section 2 add the following as sub-section (2A) :—

" Notwithstanding anything contained in sub-section (1), a right to compensation in respect of any occupational disease specified in Schedule III shall be conditional on compliance with such requirements as may be prescribed in regard to medical examination of workmen and autopsy on the body of deceased workmen."

4. Clause 5.—(1) For purposes of clarity, we are of opinion that the following may be substituted for sub-clause (i) of clause 5 :—

" for the words 'For the purposes of Section 4, the monthly wages of a workman', the words 'In this Regulation, monthly wages mean the wages of a workman, by whatever period paid, and' shall be substituted."

(2) It is to be noted that only the proviso to Section 5 is deleted, while the explanation remains.

5. *Clause* 6.—We are of opinion that the amount of advance that may be given by an employer to a dependant on account of compensation as provided in the proviso to sub-section 1 of section 8 should not exceed Rs. 50. Consequently, the word " fifty " may be substituted in place of the words " one hundred " in the proviso to sub-section 1 of Section 8 as proposed in sub-clause (a) of clause 6 of the Bill.

7. *Clause* 22.—Schedule II (1).—

(i) There is a slight mistake in item (i) of Schedule as printed, and it should be as follows :—

" (i) employed, otherwise than in a clerical capacity or on a railway, in connection with the operation or maintenance of mechanically propelled vehicles used for the carriage of persons for hire or for industrial or commercial purposes ; or "

(ii) in item X, the words " and in sub-section (1) of section 129 " may be added after the word and figure

"section 3", as this appears to be an inadvertant omission.

(iii) In item XIX, substitute the word "diver" for the word "driver."

(Sd.) N. MADHAVA RAU (Chairman).
" S. ABDUL WAJID.
" H. D. SINCLAIR.
" M. VENKATANARANAPPA.
" S. SUBBA RAO.
" C. HAYAVADANA RAO.
" M. RAMACHANDRA RAO SINDIA
" T. RAMACHANDRA.

N. B.—Mr. K. T. Bhashyam Iyengar has not communicated his approval.

BILL AS AMENDED BY THE SELECT COMMITTEE.

[ADDITIONS ARE INDICATED IN ITALICS AND OMISSIONS ARE ENCLOSED IN SQUARE BRACKETS.]

BILL TO AMEND THE WORKMEN'S COMPENSATION REGULATION, No. XIV OF 1928.

WHEREAS it is expedient to amend the Workmen's Compensation Regulation, No. XIV of 1928; It is hereby enacted as follows:—

1. This Regulation shall be called the Workmen's Compensation (Amendment) Regulation, 193 .

2. In section 2 of the Workmen's Compensation Regulation, 1928 (hereinafter referred to as the said Regulation),—

(*a*) in sub-section (1):—

(i) the following shall be substituted for the existing clause (*d*):—

(*d*) "dependent" means any of the following relatives of a deceased workman, namely—

(i) a wife, a minor legitimate son, *a minor adopted son* and unmarried legitimate daughter, or a widowed mother; and

(ii) if wholly or in part dependant on the earnings of the workman at the time of his death, a husband, a parent other than a widowed mother, a minor illegitimate son, an unmarried illegitimate daughter, a daughter legitimate or illegitimate if married and a minor or if widowed, a minor brother, an unmarried or widowed sister, a widowed daughter-in-law, a minor child of a deceased son, or, where no parent of the workman is alive, a paternal grandparent.

(ii) in sub-clause (ii) of clause (*l*) the words "either by way of manual labour or" shall be omitted.

(*b*) for sub-section (3), the following shall be substituted:—

"The Government, after giving, by notification in the Official Gazette, not less than three months' notice of its intention so to do, may, by a like notification, add to Schedule II any class of persons employed in any occupation which it is satisfied is a hazardous occupation, and the provisions of this Regulation shall thereupon apply to such classes of persons:

Provided that in making such additions the Government may direct that the provisions of this Regulation shall apply to such classes of persons in respect of specified injuries only."

3. In section 3 of the said Regulation,—

(*a*) in sub-section (1):—

(i) in proviso (*a*) for the word 'ten' the word 'seven' shall be substituted;

(ii) in proviso (*b*) for the words "injury to a workman resulting from" the words "injury, not resulting in death, caused by" shall be substituted; and

(iii) the word 'or' of proviso (*b*) at the end of sub-clause (iii) and the whole of proviso (*c*) shall be omitted;

(*b*) in sub-section (2) for the words "hides or skins" the following shall be substituted, namely:—"or animal carcasses or parts of such carcasses, or in the loading, unloading or transport of any merchandise, or in any work in connection with animals infected with anthrax;" and

"(*c*) *after sub-section 2 add the following as sub-section (2A):—*

"*Notwithstanding anything contained in subsection (1), a right to compensation in respect of any occupational disease specified in Schedule III shall be conditional on compliance with such requirements as may be prescribed in regard to medical examination of workmen and autopsy on the body of deceased workmen.*"

[(*c*)] (*d*) in sub-section (4) the words "solely and" shall be omitted.

4. In sub-section (1) of section 4 of the said Regulation,—

(*a*) for clause (i) under A, the following shall be substituted:—

"(i) in the case of an adult in receipt of monthly wages falling within limits shown in the first column of Schedule IV—the amount shown against such limits in the second column thereof, and";

(*b*) for clauses (i) and (ii) under B, the following shall be substituted:—

"(i) in the case of an adult in receipt of monthly wages falling within limits shown in the first column of

Schedule IV—the amount shown against such limits in the third column thereof, and

(ii) in the case of a minor—twelve hundred rupees ; "

(*c*) (i) in D, for the words " ten days " the words " seven days " shall be substituted ; and

(ii) for clauses (i) and (ii) and the proviso under D, the following shall be substituted :—

" (i) in the case of an adult in receipt of monthly wages falling within limits shown in the first column of Schedule IV—of the sum shown against such limits in the fourth column thereof, and

(ii) in the case of a minor—of one-half of his monthly wages, subject to a maximum of thirty rupees :

Provided that (*a*) there shall be deducted from any lumpsum or half-monthly payments to which the workman is entitled, the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of such lumpsum or the first half-monthly payment, as the case may be ; and

(*b*) no half-monthly payment shall in any case exceed the amount, if any, by which half the amount of the monthly wages of the workman before the accident exceeds half the amount of such wages which he is earning after the accident."

5. In section 5 of the said Regulation,—

(i) [for the word and figure " Section 4 " the words " this Regulation " shall be substituted ;]

" *for the words 'For the purpose of section 4, the monthly wages of a workman', the words "In this Regulation, monthly wages mean the wages of a workman, 'by whatever period paid, and' shall be substituted.*"

(ii) after clause (*a*) the following clause shall be inserted, *viz.*,—

" (*b*) where the whole of the continuous period of service immediately preceding the accident during which the workman was in the service of the employer who is liable to pay the compensation was less than one month, the monthly wages of the workman shall be deemed to be the average monthly amount which, during the twelve months immediately preceding the accident, was being earned by a workman employed on the same work by the

same employer, or, if there was no workman so employed, by a workman employed on similar work in the same locality;"

(iii) clause (*b*) shall be re-lettered as clause (*c*), and

(iv) the proviso shall be omitted.

6. In section 8 of the said Regulation:—

(*a*) for sub-sections (1) to (3), the following sub-sections shall be substituted, namely:—

"(1) No payment of compensation in respect of a workman whose injury has resulted in death, and no payment of a lumpsum as compensation to a woman or a person under a legal disability, shall be made otherwise than by deposit with the Commissioner, and no such payment made directly by an employer shall be deemed to be a payment of compensation:

Provided that, in the case of a deceased workman, an employer may make to any dependant advances on account of compensation not exceeding an aggregate of [one hundred] *fifty* rupees, and so much of such aggregate as does not exceed the compensation payable to that dependant shall be deducted by the Commissioner from such compensation and repaid to the employer.

(2) Any other sum amounting to not less than ten rupees which is payable as compensation may be deposited with the Commissioner on behalf of the person entitled thereto.

(3) The receipt of the Commissioner shall be a sufficient discharge in respect of any compensation deposited with him;" and

(*b*) in sub-section (4) (i) after the words "under sub-section (1)" the words "as compensation in respect of a deceased workman" shall be inserted,

(ii) the words "shall deduct" shall be substituted for the words "may deduct," and

(iii) the word "twenty-five" shall be substituted for the word "fifty;"

(*c*) for sub-section (5), the following sub-sections shall be substituted, namely:—

"(5) Compensation deposited in respect of a deceased workman shall, subject to any deduction made under sub-section (4), be apportioned among the dependants of the deceased workman or any of them in such proportion as the Commissioner thinks fit, or may, in the

discretion of the Commissioner, be allotted to any one dependant.

(6) Where any compensation deposited with the Commissioner is payable to any person, the Commissioner shall, if the person to whom the compensation is payable is not a woman or a person under a legal disability, and may, in other cases, pay the money to the person entitled thereto.

(7) Where any lumpsum deposited with the Commissioner is payable to a woman or a person under legal disability, such sum may be invested, applied or otherwise dealt with for the benefit of the woman, or of such person during his disability, in such manner as the Commissioner may direct; and where a half-monthly payment is payable to any person under a legal disability, the Commissioner may, of his own motion or on an application made to him in this behalf, order that the payment be made during the disability to any dependant of the workman or to any other person whom the Commissioner thinks best fitted to provide for the welfare of the workman;" and

(*d*) sub-section (6) shall be re-numbered as sub-section (8); and

(*e*) after that sub-section the following sub-section shall be added, namely:—

"(9) Where the Commissioner varies any order under sub-section (8) by reason of the fact that payment of compensation to any person has been obtained by fraud, impersonation or other improper means, any amount so paid to or on behalf of such person may be recovered in the manner hereinafter provided in section 30."

7. In section 10 of the said Regulation,—

(*a*) in sub-section (1), after the first proviso the following further proviso shall be inserted, namely:—

"Provided further that the want of or any defect or irregularity in a notice shall not be a bar to the maintenance of proceedings—

(*a*) if the claim is made in respect of the death of a workman resulting from an accident which occurred on the premises of the employer, or at any place where the workman at the time of the accident was working under the control of the employer or of any person employed by him, and the workman died on such premises or at such place, or on any premises belonging to the employer, or

died without having left the vicinity of the premises or place where the accident occurred, or

(*b*) if the employer had knowledge of the accident from any other source at or about the time when it occurred ; " and

(*b*) for sub-section (3) the following sub-sections shall be substituted, namely :—

" (3) The Government may require that any prescribed class of employers shall maintain at their premises at which workmen are employed a notice-book, in the prescribed form, which shall be readily accessible at all reasonable times to any injured workman employed on the premises and to any person acting *bona fide* on his behalf.

(4) A notice under this section may be served by delivering it at, or sending it by registered post addressed to, the residence or any office or place of business of the person on whom it is to be served, or, where a notice-book is maintained, by entry in the notice-book."

8. After section 10 of the said Regulation the following sections shall be inserted, namely :—

Power to require from employers statements regarding fatal accidents. 8 of 15 of 33.

" 10A. (1) Where a Commissioner receives information from any source that a workman has died as a result of an accident arising out of and in the course of his employment, he may send by registered post a notice to the workman's employer requiring him to submit, within thirty days of the service of the notice, a statement, in the prescribed form, giving the circumstances attending the death of the workman, and indicating whether, in the opinion of the employer, he is or is not liable to deposit compensation on account of the death.

(2) If the employer is of opinion that he is liable to deposit compensation, he shall make the deposit within thirty days of the service of the notice.

(3) If the employer is of opinion that he is not liable to deposit compensation, he shall in his statement indicate the grounds on which he disclaims liability.

(4) Where the employer has so disclaimed liability, the Commissioner, after such inquiry as he may think fit, may inform any of the dependants of the deceased workman that it is open to the dependants to prefer a claim for compensation, and may give them such other further information as he may think fit.

Reports of fatal accidents.

10B. (1) Where, by any law for the time being in force, notice is required to be given to any authority, by or on behalf of an employer, of any accident occurring on his premises which results in death, the person required to give the notice shall, within seven days of the death, send a report to the Commissioner giving the circumstances attending the death :

Provided that where the Government has so prescribed the person required to give the notice may instead of sending such report to the Commissioner send it to the authority to whom he is required to give the notice.

(2) The Government may, by notification in the Official Gazette, extend the provisions of sub-section (1) to any class of premises other than those coming within the scope of that sub-section, and may, by such notification, specify the persons who shall send the report to the Commissioner."

9. In sub-section (2) of section 12 of the said Regulation after the words " the contractor " the following words shall be inserted :—

"or any other person from whom the workman could have recovered compensation and where a contractor who is himself a principal is liable to pay compensation or to indemnify a principal under this section he shall be entitled to be indemnified by any person standing to him in the relation of a contractor from whom the workman could have recovered compensation."

10. In Chapter II and after section 17 of the said Regulation, the following section shall be inserted; namely :—

Penalties

"17A. (1) Whoever—

(*a*) fails to maintain a notice-book which he is required to maintain under sub-section (3) of section 10, or

(*b*) fails to send to the Commissioner a statement which he is required to send under sub-section (1) of section 10A, or

(*c*) fails to send a report which he is required to make under section 10B, or

(*d*) fails to make a return which he is required to make under section 15, shall be punishable with fine which may extend to one hundred rupees.

(2) No prosecution under this section shall be instituted except by or with the previous sanction of a Commissioner, and no Court shall take cognizance of any offence under this section, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed."

11. In sub-section (1) of section 18 of the said Regulation, for the words 'the Commissioner' the words 'a Commissioner' shall be substituted.

12. In section 19 of the said Regulation,—

(*a*) after sub-section (1) the following sub-section shall be inserted, namely :—

"(2) Where more than one Commissioner has been appointed for any local area, the Government may, by general or special order, regulate the distribution of business between them;" and

(*b*) sub-sections (2) and (3) shall be re-numbered as sub-sections (3) and (4).

13. In section 20 of the said Regulation,—

(*a*) in sub-section (1), for the words "the Commissioner" the words "a Commissioner" shall be substituted; and

(*b*) after sub-section (4) the following sub-section shall be added, namely :—

"(5) The Government may transfer any matter from any Commissioner appointed by it to any other Commissioner appointed by it."

14. In section 21 of the said Regulation,—

(*a*) in sub-section (1) after the word "Commissioner" a comma and the words "other than an application by a dependant or dependants for compensation," shall be inserted; and

(*b*) in sub-section (2),

(i) for the words "Where any such question has arisen, the application," the words "An application to a Commissioner" shall be substituted, and

(ii) for clause (*d*) the following shall be substituted, namely :—

"except in the case of an application by dependants for compensation a concise statement of the matters on which agreement has and of those on which agreement has not been come to."

15. After section 21 of the said Regulation the following sections shall be inserted, namely :—

Power of Commissioner to require further deposit in cases of fatal accidents.

"21A. Where any sum has been deposited by an employer as compensation payable in respect of a workman whose injury has resulted in death, and in the opinion of the Commissioner such sum is insufficient, the Commissioner may, by notice in writing stating his reasons, call upon the employer to show cause why he should not make a further deposit within such time as may be stated in the notice.

(2) If the employer fails to show cause to the satisfaction of the Commissioner, the Commissioner may make an award determining the total amount payable, and requiring the employer to deposit the deficiency."

16. In section 22 after the word "objects" the following words shall be added, namely :—

"and the Commissioner shall be deemed to be a Civil Court for all the purposes of section 195 and of Chapter XXXV of the Code of Criminal Procedure, 1904."

17. In sub-section (1) of section 27 of the said Regulation,—

(*a*) for the words "to a person under a legal disability or to a dependant" the words "to a woman or a person under a legal disability" shall be substituted ;

(*b*) clause (*b*) of the proviso shall be omitted ;

(*c*) in clause (*d*) of the proviso,

(i) for the words "to a person under any legal disability or to any dependant," the words "to a woman or a person under a legal disability" shall be substituted, and

(ii) for the words "or may make such order" the words "and may make such order" shall be substituted.

18. To sub-section (1) of section 29 of the said Regulation, after the existing provisos the following further proviso shall be added, namely :—

"Provided further that no appeal by an employer under clause (*a*) shall lie unless the memorandum of appeal is accompanied by a certificate by the Commissioner to the effect that the appellant has deposited with him the amount payable under the order appealed against."

19. After section 29 of the said Regulation, the following section shall be inserted, namely :—

Withholding of certain payments pending decision of appeal.

"29A. Where an employer makes an appeal under clause (*a*) of sub-section (1) of section 29, the Commissioner may, and if so directed by the High Court shall, pending the decision of the appeal, withhold payment of any sum in deposit with him."

20. In sub-section (2) of section 31 of the said Regulation, after clause (*k*) the following clauses shall be inserted, namely :—

"(*l*) for prescribing the classes of employers who shall maintain notice books under sub-section (3) of section 10 and the form of such notice books;

(*m*) for prescribing the form of statement to be submitted by employers under section 10A;

(*n*) for prescribing the cases in which the report referred to in section 10B may be sent to an authority other than the Commissioner, and

(*o*) generally for carrying on all or any of the purposes of this Regulation."

21. After section 32 of the said Regulation the following section shall be inserted, namely :—

"32A. The Government may by notification in the Official Gazette make rules for the transfer to any part of British India or other States in India of money paid to a Commissioner under this Regulation for the benefit of any person residing or about to reside in such part and for the receipt and administration in Mysore of any money awarded under the law relating to workmen's compensation in any such part and applicable for the benefit of any person residing or about to reside in Mysore."

22. For Schedule II of the said Regulation, the following shall be substituted :—

SCHEDULE II.

The following persons are workmen within the meaning of section 2 (I) (1) and subject to the provisions of that section, that is to say, any person who is—

(i) employed, otherwise than in a clerical capacity or on a railway, in connection with the operation or maintenance of mechanically propelled vehicles used for the carriage of passengers for hire or for industrial or commercial purposes; or;

(ii) employed within the meaning of clause (2) of section 2 of the Mysore Factories Regulation, 1914, in any place which is a factory within the meaning of sub-clause (*a*) of clause (3) of that section ; or

(iii) employed for the purpose of making, altering, repairing, ornamenting, finishing or otherwise adapting for use, transport or sale any article or part of an article in any premises wherein or within the precincts whereof on any one day of the preceding twelve months, fifty or more persons have been so employed; or

(iv) employed in the manufacture or handling of explosives in any premises wherein, or within the precincts whereof, on any one day of the preceding twelve months, ten or more persons have been so employed ; or

(v) employed in any mine which is subject to the operation of the Mysore Mines Regulation, 1906 ;

Explanation.—A person is said to be " employed " in a mine who works under appointment by or with the knowledge of the manager, whether for wages or not, in any mining operation, or in cleaning, or oiling any part of any machinery used in or about the mine, or in any other kind of work whatsoever incidental to, or connected with, mining operations.

Or

(vi) employed in the construction, repair or demolition of—

(*a*) any building which is designed to be or is or has been more than one storey in height above the ground or twenty feet or more from the ground level to the apex of the roof ; or

(*b*) any dam or embankment which is twenty feet or more in height from its lowest to its highest point ; or

(*c*) any road, bridge, or tunnel ; or

(vii) employed in setting up, repairing, maintaining, or taking down any telephone line or post or any over-head electric line or cable or post or standard for the same ; or

(viii) employed, otherwise than in a clerical capacity, in the construction, working, repair or demolition of any aerial ropeway, canal, pipe-line, or sewer ; or

(ix) employed in the service of any fire brigade ; or

(x) employed upon a railway as defined in clause (4) of section 3, *and in sub-section (1) of Section 129* of the Mysore Railways Regulation, 1894, either directly

or through a sub-contractor, by a person fulfilling a contract with the railway administration ; or

(xi) employed, otherwise than in a clerical capacity, in connection with operations for winning natural petroleum or natural gas ; or

(xii) employed in any occupation involving blasting operations ; or

(xiii) employed in the making of any excavation in which on any one day of the preceding twelve months more than fifty persons have been employed or explosives have been used, or whose depth from its highest to its lowest point exceeds twenty feet ; or

(xiv) employed in the operation of any ferry boat capable of carrying more than ten persons ; or

(xv) employed, otherwise than in a clerical capacity, on any estate which is maintained for the purpose of growing coffee, rubber or tea, and on which on any one day in the preceding twelve months twenty-five or more persons have been so employed ; or

(xvi) employed, otherwise than in a clerical capacity, in the generating, transforming or supplying of electrical energy or in the generating or supplying of gas ; or

(xvii) employed in producing cinematograph pictures intended for public exhibition or in exhibiting such pictures ; or

(xviii) employed in the training, keeping or working of elephants or wild animals ; or

(xix) employed as a [driver] *diver*.

Explanation.—In this Schedule 'the preceding twelve months' relates in any particular case to the twelve months ending with the day on which the accident in such case occurred.

23. In Schedule III to the said Regulation after the entry relating to phosphorus poisoning, the following entries shall be added, namely :—

Mercury poisoning or its sequelæ.	Any process involving the use of mercury or its preparations or compounds.
Poisoning by benzene and its homologues, or the sequelæ of such poisoning.	Handling benzene or any of its homologues and any process in the manufacture or involving the use of benzene or any of its homologues.
Chrome ulceration or its sequelæ.	Any process involving the use of chromic acid or bichromate of ammonium, potassium or sodium, or their preparations.

Compressed air illness or its sequelæ.	Any process carried on in compressed air.
Miners' phthisis or silicosis,	Any occupation wherein the mineral dust is such as to cause silicosis.
Cyanide rash ...	The handling of cyanide or any work involving the use of cyanide.

24. For Schedule IV to the said Regulation, the following shall be substituted :—

SCHEDULE IV.

(See Section 4.)

Compensation Payable in certain Cases.

Monthly wages of the workman injured		Amount of compensation for		Half-monthly payment as compensation for temporary disablement of adult
		Death of adult	Permanent total disablement of adult	
More than	But not more than			
Rs.	Rs.	Rs.	Rs.	Rs. a.
0	10	500	700	Half his monthly wages
10	15	550	770	5 0
15	18	600	840	6 0
18	21	630	882	7 0
21	24	720	1,008	8 0
24	27	810	1,134	8 8
27	30	900	1,260	9 0
30	35	1,050	1,470	9 8
35	40	1,200	1,680	10 0
40	45	1,350	1,890	11 4
45	50	1,500	2,100	12 8
50	60	1,800	2,520	15 0
60	70	2,100	2,940	17 8
70	80	2,400	3,360	20 0
80	100	3,000	4,200	25 0
100	200	3,500	4,900	30 0
200	...	4,000	5,600	30 0

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. L. 8701—Ml. 203-35-5, dated Bangalore, 14th May 1936.

The following draft of the rules relating to the appointment of Engineers and Health Officers in City Municipalities which the Government propose to make, in exercise of the powers vested in them under Section 228 (2) (*c*) read with Sections 49 (*b*) (ii) and (*c*) of the Mysore City Municipalities Regulation, 1933, is published under sub-section 4 of Section 228 of the said Regulation, for the information of all persons interested. Any objections or suggestions which may be received within a month from the date of the publication of the rules will be taken into consideration by Government before the issue of the rules finally.

(1) Every City Municipal Council shall have a Health Officer and a Municipal Engineer.

(2) Such Health Officer and Engineer shall be officers lent by Government from their Health and Public Works Departments respectively.

(3) Whenever the Government intend to lend an officer to a City Municipal Council for being appointed as its Health Officer or Engineer, as the case may be, they shall intimate the name of such officer to the President. It will be open to the President and to the Council to make any representations that they may consider necessary. The Government may, after considering the representations, if any, made in this behalf by the President on behalf of the Municipal Council, issue the necessary notification regarding the posting which shall thereafter be given due effect to by the Municipal Council in accordance with law.. Provided that in an emergency, the Government may issue the notification posting an officer without previous intimation.

(4) The Health Officer or Engineer lent by Government shall ordinarily hold office for a period of three years, but Government may at any time in the interests of public service withdraw any particular officer so lent and post another in his place after giving due intimation as prescribed in rule 3 above.

(5) The pay and allowances of the officers lent by Government under these rules shall be determined by Government and be borne and disbursed by the Municipal Council. Their leave, pensions, gratuities and other matters shall be regulated by the Mysore Service Regulations and the special or general orders made by Government in this behalf.

By Order,

A. V. RAMANATHAN,
Chief Secretary to Government.

No. P. 7618—Legis. 46-35-37, dated Bangalore, the 16th May 1936.

1. In virtue of the powers vested in them under Sections 14 and 15 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to direct (i) that the toll-gates shown in Statement "A" be abolished with effect from 1st July 1936, (ii) that the toll-gates shown in Statement "B" be newly established with effect from 1st July 1936, and (iii) that the location of the toll-gates shown in Statement "C" be changed as shown therein.

2. Government are further pleased to direct that the two toll-gates close to Nidasale situated in the border of Tumkur District and Mysore District within a mile of each other on the Tumkur-Maddur Road be treated as one toll-gate, the payment of tolls at one gate exempting the vehicle, etc., from payment at the other.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

STATEMENT "A."

LIST OF TOLL-GATES TO BE ABOLISHED.

1.	Yenagadale	In Kolar District.
2.	Dodmetikurki	In Hassan District.
3.	Aggunda	
4.	At the junction of Tirupati-Huliyar Road.	

Note.—In lieu of these toll-gates, one toll-gate shall be established on the road branching off to Tirupati.

5.	Byaldal	In Kadur District.
6.	Doggihalli	
7.	Basthihalli	In Chitaldrug District.

STATEMENT "B."

LIST OF TOLL-GATES TO BE NEWLY ESTABLISHED.

1.	In the vicinity of Chikjala on the Bangalore-Nandi Road.	In Bangalore District.
2.	In the vicinity of Chelur, (interior toll-gate).	In Kolar District.
3.	A check gate in the vicinity of Banavar, on the Banavar-Belur Road.	In Hassan District.
4.	A gate at the junction of Channarayapatna-Sravanabelagola Road.	
5.	A toll-gate on the road to Tirupati (*vide* Note to items 2, 3, 4 of Statement "A").	
6.	One gate in the vicinity of Sampagodu on the Shimoga-Banavasi Road.	In Shimoga District.
7.	One gate in the vicinity of Kavasapur on Shikarpur-Masur Road.	

The two toll-gates (Items 6 and 7) shall be frontier toll-gates.

STATEMENT "C."

The following toll-gates shall be shifted from their present places to the places noted below :—

Name of District	Name of toll-gate	Where to be shifted
Kolar ...	Bethamangala ...	To the frontier of the State near Venkatagirikote (Frontier toll-gate).
Do ...	Jangamkote ...	To the place where Hoskote-Bangalore and Kolar-Sompur Roads meet.
Tumkur ...	Kodigenahalli ...	To Muddenahalli on the Border of Madhugiri-Hindupur Road. (Frontier toll-gate).
Mysore ...	Ankanhalli ..	Nearer to Frontier. This shall be a Frontier toll-gate.
Do ...	Sri Krishnarajendra Bridge on Cauvery at T.-Narasipur.	To be shifted to a place to be fixed by the Revenue Commissioner so as to command this bridge as well as the Vani Vilas Bridge on Kabini at which the establishment of a toll-bar has been notified.
Hassan ...	Belur Bridge ...	To the East at Hassan-Chikmagalur Road.
Do ...	Salapur ...	To the junction of Sakrepatna and Sira Road.
Do ...	Near Bridge at Keralapura on Ramanathpur-Krishnarajendra Road.	To be shifted to the Bridge at Keralapur.
Shimoga ...	Huliginkoppa, on Shiralkoppa-Hirekerur Road.	To be shifted to the frontier at Sunnadakoppa. This shall be a Frontier toll-gate.
Do ...	Bhadravati gate.	To be shifted to the junction of Tarikere-Bhadravati and Tarikere-Koppa Roads.

No. P. 7630—Legis. 46-35-38, dated Bangalore, the 16th May 1936.

In virtue of powers vested in them under Sections 15 and 20 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to sanction the establishment of a toll-gate commanding the Vani Vilas Bridge across Kabini at T.-Narasipur and to declare that at this toll-gate composition of tolls under Section 20 is not admissible, as it is established for the recovery of the amount expended on the said bridge.

No. D. 7037—A. & E. 278-34-4, dated Bangalore, 19th May 1936.

In exercise of the powers conferred by sub-section (3) of Section 1 of the Sugar Industries Safeguarding Regulation IV of 1934, the Government of His Highness the Maharaja of Mysore are pleased to direct that the said Regulation shall come into force in the Irwin Canal area from 1st July 1936.

No. D. 7039—A. & E. 278-34-5, dated Bangalore, the 19th May 1936.

The following rules framed under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, are hereby published for general information :—

In exercise of the powers conferred under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules :—

SECTION 1—LICENSING OF SUGAR FACTORIES.

1. Any person intending to carry on the business of manufacturing sugar in a factory shall apply for a license to the Secretary to the Government in the Department concerned.

2. The application shall bear a Court fee stamp of the value of Rs. 25.

3. Unless the application is summarily rejected, the particulars of the application and the conditions subject to which it is proposed to grant a license shall be published by the Government of Mysore in the *Mysore Gazette* fixing a date on or after which the matter will be taken into consideration together with any objections that may be received in the meantime.

4. The conditions of a license already granted may be varied by Government, from time to time, after giving adequate notice and an opportunity of urging objections, to the interests concerned.

5. (*a*) The minimum price or prices at which sugar-cane shall be purchased by a factory shall be fixed and notified by Government from time to time.

(*b*) If an advisory committee is established for the purpose of fixing the price or prices of sugar-cane in any area, it shall consist of a Chairman and not less than three and not more than six members nominated by the Government of whom not less than one-third shall be chosen to represent the interests of the sugar factory or factories concerned and not less than one-third to represent the interests of sugar-cane growers in the area. The Chairman shall be a person who has no interest directly or indirectly in the sugar industry.

(*c*) The Committee shall from time to time advise the Government as to the price or prices which may be fixed under sub-rule (a) and any matters connected therewith that may be referred to it by Government for advice.

(*d*) The Committee shall meet at such times and places as, subject to the orders of Government, if any, may be appointed by the Chairman.

(*e*) The opinion of the majority of the members present at a meeting shall be regarded as the opinion of the Committee. The Chairman shall have a casting vote.

(*f*) The proceedings of the Committee shall be reported to Government.

6. The "owner of a sugar factory" means a person to whom a license has been issued under Section 5 of the Regulation. The licensee may, with the approval of the District Magistrate, designate any person concerned with

the management of the factory as "owner" for the purpose of any or all of these rules.

7. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugar-cane for such factory from any person other than (i) the grower of such cane or a person representing himself to be such grower or (ii) a person duly authorised in writing by such a grower to sell and deliver cane on his behalf or (iii) a Co-operative Society for cane supply or (iv) a licensed purchasing agent.

8. Any person wishing to act as a purchasing agent for the supply of sugar-cane to a sugar factory shall apply to the District Magistrate for a license; such license shall not be granted unless (i) a fee of Rs. 25 is deposited with the District Magistrate, (ii) the application is recommended by the factory owner and (iii) the applicant has deposited with the owner the amount prescribed in Rule 9.

9. Such licensed purchasing agent shall deposit with the owner of a factory a sum of Rs. 500 in cash or adequate security of four times that value for the proper performance of his duties as purchasing agent.

10. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugar-cane for a factory or pay for it at a price below the minimum price fixed by Government from time to time.

11. (*a*) All payments for cane purchased for a sugar factory shall be made at the office of the factory or such other place as may be approved by the District Magistrate, within 14 days of demand, and in cases where no cultivation or cutting advances are given by the factory, the payment shall be made forthwith on demand.

(*b*) Except as provided in sub-rules (*c*), (*d*) and (*e*) of this rule, no deductions shall be made by way of fine or otherwise from the price of cane purchased which would reduce such price to a figure below that calculated at the prescribed minimum rate.

(*c*) If any loan has been advanced to the person from whom the sugar-cane has been purchased, the amount of such loan together with simple interest thereon at a rate not exceeding one per cent per month for the period the loan has been outstanding may be deducted subject to the terms of the agreement, from the amount paid for the cane.

(*d*) Where with the consent of the supplier, transport of the cane to the factory is arranged by the owner of the factory by railway or otherwise, the actual cost of such transport incurred by the owner may be deducted from the amount payable as price of cane.

(*e*) If any officer of Land Revenue not below the status of Amildar intimates to the owner of a sugar factory that any amount is owing from a cane supplier on account of land revenue in respect of a land from which the cane is supplied to the factory, such amount shall be deducted from the amount payable for the cane and paid to such Amildar or other Revenue Officer.

12. No scales or weights shall be used for purposes of purchasing sugarcane by or on behalf of the owner of a sugar factory or a licensed purchasing agent, which have been disapproved by the District Magistrate.

(*a*) Provided that the District Magistrate shall not disapprove any scales and weights which weigh correctly to near two per cent:

(*b*) All scales and weights used, kept or possessed for the purchase of sugar-cane, shall be open to inspection, examination and test by the District Magistrate or any other Magistrate authorised in this behalf by the District Magistrate at all times without notice and shall be made available for such inspection, examination or test when required by such Magistrate.

13. (*a*) The owner of a sugar factory or a licensed purchasing agent (other than a Co-operative Society for cane supply) shall cause to be put up throughout the cane purchasing season, at each purchasing centre, a notice showing correctly the minimum price or prices fixed by Government and the rates at which cane is being purchased for the sugar factory at the centre.

(*b*) Entries in such notices shall be made legibly both in English and Kannada and shall be on one side of the paper only.

14. The owner of a sugar factory shall cause to be maintained a register or registers showing:—

(*a*) the name of the person from whom sugar-cane is purchased with his parentage and full address, together with similar particulars about the person, if any, authorised by the vendor to deliver the cane on his behalf.

(*b*) weight of the cane purchased.

(*c*) the rate at which it is purchased.

(*d*) the price that is to be paid for it at that rate.

(*e*) the amount of loan advanced, if any.

(*f*) the amount of interest up to the date of recovery of the same, if any.

(*g*) other deductions such as transport charges, land revenue payments, etc.

(*h*) the amount actually paid, if any.

(*i*) the date of payment.

(*j*) the name of the licensed purchasing agent or the person employed by the owner of the sugar factory and acting on his behalf, by whom the sugar-cane is purchased.

15. Whoever, being the owner of a sugar factory or being a licensed purchasing agent for a sugar factory,

(*a*) purchases sugar-cane for a sugar factory or pays for it at a price below the prescribed minimum price,

(*b*) fails to make payments for cane purchased for a sugar factory in accordance with the provisions of Rule 11,

(*c*) knowingly uses for the purchase of sugar-cane, scales and weights which are incorrect or which have been disapproved by the District Magistrate and have not been rectified to his satisfaction,

(*d*) fails to make available for inspection, examination or test by the officer authorised in this behalf, the scales and weights used, kept or possessed for weighing sugar-cane purchased for a sugar factory,

(*e*) fails to put up in the manner prescribed any notice required by these rules or puts up a notice which is proved to be incorrect in any material particular,

(*f*) fails to maintain any register as required by these rules or maintains a register containing an entry which is proved to be incorrect in any material particular,

(*g*) destroys such register before the expiry of one year from the date of the last entry therein,

(*h*) fails to make available the register for the inspection of the officer authorised in this behalf when required by him, shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200 and if a licensed purchasing agent, shall render himself liable to the confiscation of his license.

16. Whoever not being a licensed purchasing agent purchases sugar-cane for a sugar factory shall on conviction

before a Magistrate be punishable with fine which may extend to Rs. 200.

17. Any person selling sugar-cane to a sugar factory falsely representing himself as the grower of such cane or as a person duly authorised by the grower, shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200.

18. The Government, may, for special reasons, except the owner or licensed purchasing agent of any sugar factory from all or any of the provisions of these rules.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,

General Department.

No. 3896--L.C., Bangalore, dated 14th May 1936.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill to further amend the Mysore Land Revenue Code, 1888 is published for general information.

By Order,

C. SUBRAHMANYA AIYAR,

Secretary,

Mysore Legislative Council.

Report of the Select Committee on the Bill further to amend the Mysore Land Revenue Code, 1888.

We, the undersigned members of the Select Committee to which the Bill further to amend the Mysore Land Revenue Code, 1888, was referred, have considered the Bill and have the honour to submit this our Report, with the Bill as amended by us, annexed hereto.

We are of opinion that certain safeguards are necessary for allowing this concession of set off to a party entitled to the payment of money for the recovery of

which a sale is held. As has been provided in the Civil Procedure Code, he should be required to take the permission of the Deputy Commissioner for purchasing the property and to purchase for a price fixed at the discretion of the Deputy Commissioner. We have, therefore, amended the clause providing for previous permission of the Deputy Commissioner being taken and for imposition of conditions while granting such permission. The clause as amended by us is as follows:—

"Notwithstanding anything contained in Sections 179 and 180, the party entitled to the payment of the money for the recovery of which a sale of immoveable property is held may apply to the Deputy Commissioner for permission to purchase such property which may be granted subject to such rules as may be prescribed by the Government in this behalf, and where a party purchases with such permission, the purchase money due by him and the amount for the recovery of which the sale is held may be set off against one another."

(Sd.) S. P. RAJAGOPALACHARI (*Chairman*).
K. V. ANANTARAMAN.
M. VENKATESA IYENGAR.
* MAHOMED ABBAS KHAN.

Bill as amended by the Select Committee.

[Addition is indicated in italics and omission is enclosed in square brackets.]

Bill further to amend the Mysore Land Revenue Code, 1888.

Whereas it is expedient to further amend the Mysore Land Revenue Code, 1888; It is hereby enacted as follows;

Addition of a new Section 180 A.

After Section 180 of the said Regulation, the following section shall be added as Section 180 A:

[" Notwithstanding anything contained in Sections 179 and 180 where sales of immoveable property held are for recovery of moneys due to Government or to other

* Messrs. K. T. Bhashyam Iyengar and H. B. Gundappa were not present at the meeting of the Committee.

persons, such moneys being recoverable under this Regulation or any other law as arrears of land revenue, the purchaser, if he happens to be the person entitled to the payment of the money so recovered may be allowed, subject to such conditions and restrictions as may be imposed in this behalf by the Deputy Commissioner, to set off the purchase money due by him against the money payable to him and for the recovery of which the sale is being held."]

"*Notwithstanding anything contained in Sections 179 and 180, the party entitled to the payment of the money for the recovery of which a sale of immoveable property is held may apply to the Deputy Commissioner for permission to purchase such property which may be granted subject to such rules as may be prescribed by the Government in this behalf, and where a party purchases with such permission, the purchase money due by him and the amount for the recovery of which the sale is held may be set off against one another.*"

No. 3898—L. C., Bangalore, dated 14th May 1936.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill further to amend the Mysore District Boards Regulation, 1926, is published for general information.

By Order,

C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

Report of the Select Committee on the Bill further to amend the Mysore District Boards Regulation, 1926.

We, the undersigned members of the Select Committee to which the Bill to further amend the Mysore District Boards Regulation was referred, have considered the Bill at two sittings held on 20th March 1936 and 1st May 1936 and have the honor to submit this our report.—

Clause 2.—The term "general election" is well understood and we consider that it may be used instead of the expanded phraseology "election of members in place of those whose term of office expires under section 24," as proposed in the Bill.

Clauses 4 and 5.—Section 10 relates to disqualification of voters, Section 11 to disqualification of candidates and Section 26 to disqualification of members after election.

In the bill it is proposed to remove the disqualifications in respect of voters and to prescribe them in regard to members of the District Board. There will arise three classes of disqualifications, *viz.*, one for members under section 10 as proposed to be amended, one for candidates under section 11 and another for members after election.

The wording is somewhat wanting in clarity and some of the provisions are overlapping. Some of the qualifications or disqualifications prescribed for candidates should continue to apply even after election. We consider it desirable to bring all these disqualifications under one clause on the lines of section 12 of the City Municipalities Regulation. We therefore propose that the following be substituted for sections 10 and 11 and that section 26 be deleted.

DISQUALIFICATION OF MEMBERS.

10. (1) (A) No person may be a member of a District Board—

(*a*) who has been sentenced by a Criminal Court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed, or quashed, or

(*b*) against whom an order has been passed under section 118 of the Code of Criminal Procedure, 1904, in proceedings instituted under section 110 of that Code, such order not having been subsequently reversed or quashed, or

(*c*) who has been dismissed from municipal, district board or Government service, such dismissal having been notified as debarring him from re-employment, or

(*d*) who was a legal practitioner whose sannad has been withdrawn by the High Court, or

(*e*) who has been removed from office under section 27, or

(*f*) who is a legal practitioner whose sannad has been suspended by the High Court, or

(*g*) who is an undischarged insolvent, or

(*h*) who is less than twenty-one years of age, or

(*i*) who is of unsound mind, or

(*j*) who is a judge, and

(B) No person;

(*a*) who is a salaried officer or servant of a district board, or

(*b*) who, save as hereinafter provided, has directly or indirectly, by himself or his partner, any share or interest in any work done by order of a district board, or in any contract or employment with, or under, or by, or on behalf of a district board, or

(*c*) who is employed as paid legal practitioner on behalf of a district board or accepts employment as legal practitioner against a district board,

may be a member of such district board.

Provided that—

(*a*) the disqualification in sub-clause (*b*) of clause A will cease to operate after the expiry of the period during which a person is ordered to furnish security;

(*b*) the disqualification in sub-clauses (*a*), (*c*), (*d*) and (*e*) of clause A will cease to operate after the expiry of three years from the date of such sentence, dismissal, withdrawal or removal or earlier by an order of the Government;

(*c*) a person shall not be deemed to have incurred disqualification under clause B (*b*) by reason of his

(i) having a share in any joint-stock company or a share or interest in any literary association registered under the Societies Registration Regulation, 1904, or in any society registered under the Mysore Co-operative Societies' Regulation, 1918, which shall contract with or be employed by or on behalf of the district board; or

(ii) having a share or interest in any newspaper in which any advertisement relating to the affairs of the district board may be inserted, or

(iii) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the district board.

(2) If any member of a district board during the term for which he has been elected or appointed —

(*a*) becomes subject to any disqualification specified in sub-section (1), or

(*b*) votes or takes part as a councillor in the discussion of any matter in which he has directly or indirectly by himself or his partner any such share or interest as is described in sub-clauses (1) and (2) of clause (*c*) of the proviso to sub-section (1), or

(*c*) not being a salaried servant of the Government absents himself for more than four consecutive months from the district for which the board is established unless leave so to absent himself, which shall not exceed six months, has been granted by the board, or absents himself for six consecutive months from meetings of the board,

He shall be disabled from continuing to be a member and his office shall become vacant.

(3) If any question or dispute or doubt arises whether a vacancy has occurred under this section, the orders of the Government shall be final for the purpose of deciding such question or dispute or doubt.

11. Every person whose name is entered in the list prepared under section 8 for a constituency and who is not disqualified to be a member of the district board shall be qualified to be a candidate at any election in such constituency provided that a person who is already a member of the district board shall not be entitled to be a candidate at a bye-election held before the expiry of his term of office as member of such district board."

Clause 9.—In consequence of the amendment proposed of sections 10 and 11, section 26 has to be deleted.

Clause 10.—Section 27 may be renumbered as section 26 and the proposed section 27 (A) may be numbered as section 27.

Clause 14.—In item (h) of sub-clause (3) in this clause, for the words "improve breed of cattle", the words "take measures for improvement of cattle" may be substituted.

Clause 15.—In section 54A (1) proposed to be inserted by this clause, for the words "in the case of the latter", the words "in respect of an application by a Village Panchayet" may be substituted.

Clause 17.—In clause (d) of section 65 proposed to be substituted, the letter "(d)" may be omitted and the word "for" may be inserted after "Government".

Proviso (2) in the same clause may be deleted, being unnecessary.

Clause 18.—We consider that it is unnecessary to provide in the Regulation itself the details of the method of determining whether any portion of the railway cess is required for expenditure on the construction of a railway or tramway as stated in clause (2) of proposed sub-section 4 of section 68. It will be quite enough to state that the cess may be utilised for the construction of new roads, etc., provided it is not required for expenditure on the purposes specified in sub-section (3). Since the fund can be diverted for such expenditure only with the previous approval of the Government, there will be scope for the Government to investigate the traffic prospects of the railway or tramway concerned and ascertain if it will be a profitable one or otherwise. We therefore suggest that clause (2) of sub-section (4) of section 68, as proposed in the bill be deleted and instead of clause (1) therein the words "expenditure on the purposes specified in sub-section (3)" be substituted. In the Explanation to this clause the words: "to roads" after the words "improvement works" may be deleted.

Clause 19.—We consider that it is unnecessary to insert in this Regulation a provision on the lines of proposed section 71 B and that a suitable provision may be inserted in the Land Revenue Code.

Clause 20.—(1) In section 77 (2) proposed to be inserted, the words "and the Deputy Commissioner shall submit the same to the Government with his remarks, if any, with the least possible delay" may be omitted.

(2) In section 77 (3) sub-clause (c), the words "on behalf of the District Board and" shall be inserted before the words "any other local authority"

(3) Section 79 (3) is redrafted as follows:—

"(3) The District Board shall at the first general meeting held after the audit of the past official year's accounts, pass such accounts,"

(4) In section 79 A (2), the word "audit" may be substituted for the words "their office".

(5) In section 79 (F), the words "and shall be" have to be inserted before the word "credited".

(Sd.) N. MADHAVA RAU (Chairman).
" K. V. ANANTARAMAN.
" A. V. RAMANATHAN.
" H. V. RAMASVAMI.
" M. VENKATANARANAPPA.
" MOHAMED ABBAS KHAN.
" S. C. MALLIAH.
" G. CHANNAPPA } (Subject
" H. B. GUNDAPPA } to a note).

Note by Messrs. G. Channappa and H. B. Gundappa.

We, the undersigned members, beg to append herewith the following note to the Select Committee Report :—

In clause 7(1), the amending bill provides for the President or the Vice-President to take charge of his office only from the date of notification of his election or appointment. The reason for this change seems to make the present clause more definite and clear and therefore we are of opinion that this provision could be made equally clear and definite by providing that the President or Vice-President should enter upon his duties soon after he is declared elected. In most of the British Indian Provinces, the practice is that the President or Vice-President will take charge of his office soon after he is declared elected and we are strongly of opinion that similar provision would be better than the present clause. We don't think that there is any necessity for the Government to take this power of indirectly approving the elections. Such a power is neither healthy nor good in the development of self-governing institutions.

In clause 12, the words "loss or waste" are sought to be introduced for "mis-application" and we are of opinion that these words are very wide in their meaning

and may therefore cause a good deal of trouble in their actual application. We are therefore definitely against the proposed change.

In clause 14(n) we are of opinion that it is not necessary to make it incumbent that the resolution should be supported by one-half of the total number of the members of the Board, because there is already the safe-guard of obtaining a previous sanction of Government to all such resolutions. Either it may be left to the absolute majority of the Board without providing for any previous sanction of Government or it may be left to the ordinary majority of the Board in which case the previous sanction of Government shall be obtained to the resolution of the Board. We feel that two safe-guards that are provided now are quite unnecessary and may work a great hardship in actual working.

In clause 54 A(1) the word "Village Panchayet" should be omitted. We are strongly of opinion that the control of markets should vest in one body, *i.e.*, District Board and the introduction of dual control is neither good nor sound. It is therefore urged that this point will be carefully reconsidered and accepted by the Government.

We are strongly of opinion that in Clause 77(2) and in Clause 79 H (1) the words "Through the Deputy Commissioner" should be omitted. At present the Government have ordered that all correspondence between Government and the President of District Board should pass through the Deputy Commissioner and we are contending all along that there is no need for such a procedure. As far as we are aware, this practice is not followed in British India—at any rate, not so in Madras Presidency—and therefore we strongly urge that this practice should be put an end to as early as possible. The chief reason for the Government to insist on this procedure, seems to be that the Deputy Commissioner who is the District representative of Government, should be kept informed of all that is happening in the District Board. We do not know if there is any need for such a contention and even, if there is, this can be achieved by asking the Presidents to send copies of all their communications sent to Government to the Deputy Commissioners also. But we feel that there is no need even for such a procedure and if the Government want to consult the Deputy Commissioners

on any point, they may do so by calling for their opinion separately whenever they feel it necessary to do so. We therefore strongly urge upon the kind attention of Government that this practice may be put an end to as early as possible.

This bill is mainly based on the City Municipal Regulation and we beg to point out that there is no such procedure or practice with regard to correspondence which passes between the President of a City Municipality and Government. Such being the case, we do not see any reason that this practice should be insisted upon in the case of District Board Presidents.

In clause 79 D(2) the Deputy Commissioner is the officer who is responsible for sur-charging the amount of any deficiency or loss incurred by negligence or misconduct, etc. We feel that it would not be in the interest of smooth administration of the District Boards if the Deputy Commissioner is made the authority for the same and we feel that the Government would be a better authority for this purpose. We therefore strongly urge that the Government be made responsible to pass orders under this chapter instead of the Deputy Commissioner.

We are of opinion that in clause 79 H (2) the words " subject to the approval of Government " be omitted.

In Section 100 A, the Government have proposed to take power to delegate all or any of its powers to any officer subordinate to it. We are strongly opposed to this clause firstly because the status of the officer to whom such powers can be delegated is not defined nor restricted and secondly because we feel that the Government should not delegate any of its powers to any officers subordinate to it. There is no such provision in the old Regulation and the Government have been all along exercising all these powers and we do not see any reason for delegating such powers to any other officer however high he may be at present. It would be in the interest of District Boards that all these powers should be strictly exercised by Government. We therefore strongly urge that this clause be omitted.

If for any reason the Government cannot accept them, we suggest as an alternative, that the status of the officer to whom such powers can be delegated should not be below a Provincial Officer or of Head of a Department and it would be better if a qualifying clause to that effect is

added in the Regulation itself. But it would be in the best interest of all, that the Government should not delegate its powers to any officer and therefore strongly urge for the present that this clause may be omitted.

Although this amending bill has tried to make clear certain provisions, it cannot be said that it has in any way widened its scope or enlargened the powers and privileges of non-officials. On the other hand, it has tried to impose certain restrictions on them. We are sorry to note that the Government seem to think that there is a necessity for their own representative, *i.e.*, the Deputy Commissioner, to be always watching the doings of District Board or their heads, the non-official Presidents. There are enough safeguards in the Regulation itself and the powers of Government are quite adequate and wide enough to deal with any kind of mal-administration. Such being the case, any further restrictions may not help the growth and development of the self-governing institutions.

We may make it clear that we are not opposed to make suitable provisions for sur-charges, etc., but we only differed with regard to certain details. While we welcome all safeguards, which would instil the growth of healthy administration, we wish that this amending Bill had contained more liberal provisions which would go to enlarge the powers of the non-officials, such as widening the franchise, increasing elected element in the Boards and doing away altogether with the system of making nominations. Even the Municipal Regulations, on which this bill seems to have been based, have contained better provisions in this respect, and we regret to find that this Bill is absolutely silent on these points. If the bill had contained such provisions, certainly it would have been more acceptable to non-officials.

(Sd.) G. CHANNAPPA

H. B. GUNDAPPA.

Bill further to amend the Mysore District Boards Regulation, 1926.

AS AMENDED BY THE SELECT COMMITTEE.

[Additions are indicated in italics and omissions are enclosed in square brackets.]

Whereas it is expedient further to amend the Mysore District Boards Regulation, 1926; It is hereby enacted as follows:— Preamble.

1. In section 3 of the Mysore District Boards Regulation, 1926, (hereinafter referred to as the said Regulation) the following definitions shall be added, namely:— Amendment of section 3.

(5) "Dangerous disease" means cholera, plague, small-pox and any endemic or epidemic or infectious disease by which the life of man is endangered.

(6) "Market" means a place where goods or animals are publicly exposed or brought for sale periodically.

(7) "Public ferry" means a ferry used for the conveyance for hire of any passenger, animal, cart, carriage or other vehicle or goods.

(8) "Private market" means a market other than a public market.

(9) "Public market" means a market which a District Board opens under section 54 or a market the control over which is or may be vested in a Village Panchayet by the Government.

2. In sub-section (2) of section 8 of the said Regulation, for the words "whenever a date has been fixed for any election of persons to fill the places of persons whose term of office has expired," the words "for every *general* election [of members in place of those whose term of office expires under section 24]" shall be substituted. Amendment of section 8.

3. In section 9 of the said Regulation, for the words "and who is not subject to any disqualification specified in section 10 or any other provision of this Regulation or the rules thereunder," the words "and who is not of unsound mind" shall be substituted. Amendment of section 9.

Amendment of section 10.

[4. In section 10 of the said Regulation, for the word "vote" occurring in the first line, the words "be a member" shall be substituted.

Amendment of section 11.

5. In section 11 of the said Regulation,—

(i) the following words shall be inserted after the the words "or on behalf of the District Board" and before the words "may be a candidate":—

"and any person who is not employed as paid legal practitioner on behalf of a District Board or does not accept employment as legal practitioner against a District Board."

(ii) The word "or" at the end of proviso (*c*) and proviso (*d*) shall be omitted.]

Disqualification of members.

4. For Sections 10 and 11 of the said Regulation the following shall be substituted.

10. (1) (A) No person may be a member of a District Board—

(a) who has been sentenced by a Criminal Court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed, or quashed, or

(b) against whom an order has been passed under section 118 of the Code of Criminal Procedure, 1904, in proceedings instituted under section 110 of that Code, such order not having been subsequently reversed or quashed, or

(c) who has been dismissed from municipal, district board or Government service, such dismissal having been notified as debarring him from re-employment, or

(d) who was a legal practitioner whose sannad has been withdrawn by the High Court, or

(e) who has been removed from office under section 27, or

(f) who is a legal practitioner whose sannad has been suspended by the High Court, or

(g) who is an undischarged insolvent, or

(h) who is less than twenty-one years of age, or

(*i*) *who is of unsound mind, or*

(*j*) *who is a judge, and*

(*B*) *No person,*

(*a*) *who is a salaried officer or servant of a district board, or*

(*b*) *who, save as hereinafter provided, has directly or indirectly, by himself or his partner, any share or interest in any work done by order of a district board, or in any contract or employment with, or under, or by, or on behalf of a district board, or*

(*c*) *who is employed as paid legal practitioner on behalf of a district board or accepts employment as legal practitioner against a district board,*

may be a member of such district board.

Provided that—

(*a*) *the disqualification in sub-clause* (*b*) *of clause A will cease to operate after the expiry of the period during which a person is ordered to furnish security,*

(*b*) *the disqualification in sub-clauses* (*a*), (*c*), (*d*) *and* (*e*) *of clause A will cease to operate after the expiry of three years from the date of such sentence, dismissal, withdrawal or removal or earlier by an order of the Government ;*

(*c*) *a person shall not be deemed to have incurred disqualification under clause B* (*b*) *by reason of his*

(*i*) *having a share in any joint-stock company or a share or interest in any literary association registered under the Societies Registration Regulation, 1904, or in any society registered under the Mysore Co-operative Societies Regulation, 1918, which shall contract with or be employed by or on behalf of the district board, or*

(*ii*) *having a share or interest in any newspaper in which any advertisement relating to the affairs of the district board may be inserted, or*

(*iii*) *holding a debenture or being otherwise concerned in any loan raised by or on behalf of the district board,*

(*2*) *if any member of a district board during the term for which he has been elected or appointed—*

(*a*) *becomes subject to any disqualification specified in sub-section* (*1*), *or*

(b) votes or takes part as a councillor in the discussion of any matter in which he has directly or indirectly by himself or his partner any such share or interest as is described in sub-clauses (1) and (2) of clause (c) of the proviso to sub-section (1), or

(c) not being a salaried servant of the Government absents himself for more than 4 consecutive months from the district for which the board is established unless leave so to absent himself, which shall not exceed six months, had been granted by the board, or absents himself for six consecutive months from meetings of the board

he shall be disabled from continuing to be a member and his office shall become vacant.

(3) If any question or dispute or doubt arises whether a vacancy has occurred under this section, the orders of the Government shall be final for the purpose of deciding such question or dispute or doubt.

11. *Every person whose name is entered in the list prepared under section 8 for a constituency and who is not disqualified to be a member of the district board shall be qualified to be a candidate at any election in such constituency provided that a person who is already a member of the district board shall not be entitled to be a candidate at a bye-election held before the expiry of his term of office as member of such district board.*

Amendment of section 14.

[6] *5.* At the end of sub-section (5) of section 14 of the said Regulation, the following explanation shall be inserted :—

"*Explanation.*—The expression 'error' in this sub-section does not include any breach of or any omission to carry out or any non-compliance with the provisions of this Regulation or the rules made thereunder whereby the result of election has been materially affected."

Substitution of a new section for section 23.

Term of office of President and Vice-President and their liability to removal.

[7] *6.* The following shall be substituted for section 23 :—

" (1)—The term of office of every President or Vice-President shall commence from the date of notification of his election or appointment and shall, save as otherwise provided for in this Regulation, cease whenever he ceases to be a member of the District Board over which he presides ;

Provided that he shall, after an opportunity is afforded for hearing him, be removable from office as such President or Vice-President by the Government for misconduct or neglect of or incapacity to perform his duty or if he is unable to pay his debts or in the case of any elected or nominated President or Vice-President for not commanding the confidence of the Board to be evidenced by a resolution of the District Board in favour of which not less than two-thirds of the whole number of members of such Board have given their votes at a meeting specially convened for the purpose.

Explanation.—A person may be presumed to be unable to pay his debts if he is under arrest or imprisonment in execution of the decree of any Court for the payment of money.

Casual vacancies in their office how to be filled up.

(2) In the event of any vacancy occurring in the office of a President or Vice-President, by death, resignation, removal or otherwise, the vacancy shall be filled up as soon as conveniently may be, by the election or appointment of some other member of the Board thereto.

Substitution of a new section for section 25.

[8] 7. For section 25 of the said Regulation, the following shall be substituted, namely :—

Resignation of office as member of Board, Vice-President or President.

"25. A member of a District Board other than the President may resign his membership and a Vice-President may resign his office as Vice-President by giving notice in writing to that effect to the President and such resignation shall take effect from the date of the notice. The President may resign his membership or his office as President by giving a notice in writing to that effect to the Government and if such resignation is accepted, it shall take effect from the date on which the intimation of such acceptance reaches the office of the President."

Amendment of section 26.

[9. In clause (*a*) of sub-section (1) of section 26 of the said Regulation, for the words "disqualified under," the words "subject to any disqualification specified in" shall be substituted and in clause (*c*) of the same sub-section, the words "without the leave of the Board" shall be omitted.]

8. Section 26 of the said Regulation shall be omitted.

Addition of new sections 27-A.

[10. Between sections 27 and 28 of the said Regulation, the following new section shall be inserted, namely]:—

9. Renumber Section 27 as 26 and after the section so renumbered the following new section shall be inserted as Section 27:—

Casual vacancies occurring by increasing the number members.

"27 [A]. In the event of a vacancy occurring by increasing the number of members of a District Board under section 6, such vacancy shall be filled up, as soon as conveniently may be, by the election or appointment as the case may be, of a person thereto who shall hold office till the next general election or for such period as the Government may in this behalf notify in the official Gazette."

Amendment of section 30.

[11] *10.* Sub-section (3) of section 30 of the said Regulation shall be numbered as sub-section (4), the following new sub-section being inserted between sub-sections (2) and (4), namely :—

" (3) Every member shall have access to the records of the District Board or of any Committee after giving due notice to the President, provided that the President may, for reasons given in writing, forbid such access."

Amendment of section 37.

[12] *11.* In the proviso to section 37 of the said Regulation, the words " loss or waste " shall be inserted after the word " misapplication " wherever it occurs.

[13] *12.* In sub-section (1) of section 40 of the said Regulation, the words ' or with any Village Panchayet' shall be inserted after the words ' Municipal Council ' in line 2 thereof and the words ' or Panchayet ' and ' or Panchayets ' shall be inserted after the words ' Council ' and ' Councils ' respectively in lines 3 and 7.

[14] *13.* In section 45 of the said Regulation—

(1) For the words beginning with " Every District Board " and ending with " subject to its authority " in sub-section (1), the following shall be substituted, namely :—

Amendment of section 45.

" It shall be the duty of every District Board to make, subject to such exceptions and conditions as may, from time to time, be made or imposed by the Government in this behalf, reasonable provision for the following matters within the area under its jurisdiction and when effective provision cannot otherwise be made, outside that area "

(2) The word " schools " in clause (*c*) and the whole of clauses (*h*), (*j*), (*l*) (*m*) and (*n*) of sub-section (1) of the said section shall be deleted.

(3) The word " and " at the end of clause (*c*) of sub-section (2) of the said section shall be omitted and

the following new clauses shall be inserted after clause (*d*) thereof :—

(*e*) promote development of economic condition with special reference to Agriculture and Industries and Commerce;

(*f*) encourage local arts and industries and grant loans for this purpose subject to the rules made by the Government in this behalf;

(*g*) institute, hold and manage fairs, cattle and agricultural shows and industrial exhibitions;

(*h*) [improve breed] *take measures for improvement* of cattle;

(*i*) pay travelling allowances to members of the District Board or any committee thereof subject to the rules prescribed in this behalf;

(*j*) provide motor and other transport facilities for the carriage of the public or guarantee from the district fund such sums as the District Board shall think fit as interest on capital expended by the Government or a company for this purpose and grant loans for providing capital for this purpose;

(*k*) organise and maintain, in time of famine or scarcity, relief and local relief works and shops or stalls for the sale of necessaries of life;

(*l*) provide accommodation for any class of servants employed by the District Board and grant loans to such servants for construction of houses subject to the rules and conditions prescribed by the Government in this behalf;

(*m*) contribute towards any public fund raised for the relief of human suffering within or without the area under the authority of the District Board;

(*n*) by a resolution passed at a meeting and supported by one-half of the whole number of members of the Board, and with the previous sanction of the Government, arrange for any public reception, ceremony or entertainment; and

(*o*) undertake any other matter not hereinbefore specifically named which is likely to promote the public health, safety or convenience or which is necessary for the carrying out of this Regulation, expenditure whereon is resolved by the District Board by the votes of not less than one-half of the whole number of members of the District Board and with the approval of the Government, to be an appropriate charge on the district fund.

Amendment of section 54.

[15] *14.* For section 54 of the said Regulation, the following sections shall be substituted, namely :—

Public ferries.

"54 (1) No public ferry shall after the commencement of this Regulation be newly established or closed without the sanction of the Government and no person shall keep open a public ferry which has been entrusted to the charge of the District Board without a license from the District Board;

(2) Whoever contravenes the provisions of this section shall, on conviction by a Magistrate, be punished with fine which may extend to five hundred rupees;

(3) Nothing in sub-sections (1) and (2) shall be deemed to apply to any person specially hiring a boat for the conveyance of himself or his family or friends or servants or goods or to the person letting such boat for hire for the said purpose."

"54-A (1) No market, either private or public, and no jatras, fairs, agricultural and cattle shows and exhibitions except those which are managed by muzrai and other officers authorised by the Government in this behalf shall be newly established in any area under the authority of a District Board or a Village Panchayet without the previous sanction of the Government which, [in the case of the latter,] *in respect of an application by a Village Panchayet* will be accorded after previous consultation with the District Board concerned.

(2) The grant of permission under the last preceding sub-section shall be subject to such conditions, and restrictions as the Government may lay down generally in respect of all such institutions as are referred to in sub-section (1) or specially in the case of any particular institution or class of institutions.

(3) No person shall open a new private market or continue to keep open a private market unless he obtains from the District Board a license to do so.

(4) No person shall sell or expose for sale any article or animal in any unlicensed private market;

(5) Whoever contravenes the provisions of this section shall, on conviction by a Magistrate, be punished with fine which may extend to five hundred rupees.

(6) If any question arises whether any place where persons assemble for the sale or purchase of articles of food or clothing or live-stock or poultry or cotton, ground-nut

or other industrial crops or any other raw or manufactured products, is a market or not, the local authority concerned shall make a reference to the Government and the decision of the Government on the question shall be final."

Amendment of section 56.

[16] *15.* In sub-section (3) of section 56 of the said Regulation, between the words "shall" and "be punished" the words "if not punishable under any other section of this Regulation," shall be inserted.

Substitution of a new section for section 65.

[17] *16.* For section 65 of the said Regulation, the following shall be substituted, namely,—

Application of district fund and property.

"*65.* The district fund and all property held by or vested in the District Board under this Regulation, shall be applied, subject to the provisions of this Regulation for the payment of :—

(*a*) the salaries, allowances, pensions and gratuities of its officers and servants,

(*b*) any amounts falling due on any loans contracted by the board,

(*c*) expenses incurred—

(i) for holding elections to the District Board under this Regulation,

(ii) for the purposes specified in section 45, and

(iii) all other purposes for which by or under this Regulation or the rules or bye-laws thereunder or any other law for the time being in force, powers are conferred or duties imposed upon the District Board, and

[(*d*)] (*iv*) with the previous sanction of the Government, *for* any other purpose for which the application of such property or fund is in the public interest.

Provided that—

[(1)] any funds granted to the District Board by the Government or any person or local authority for any specific work or purpose shall be applied exclusively for such work or purpose and in accordance with such instructions as the Government may lay down either generally or specifically in this behalf.

[(2) The Deputy Commissioner shall determine the amount of expenses to be incurred for holding elections referred to in clause (*c*) of sub-section (1) and his determination shall be final and binding on the District Board.]

Substitution of a new sub-section for sub-section (4) of section 68.

[18] *17.* The following shall be substituted for sub-section (4) of section 68 of the said Regulation :—

"(4) The whole or any portion of the cess or the interest or other income derived from investment thereof in a bank or in securities or on construction of a railway or tramway may, with the previous approval of the Government and subject to such orders as may be made by it, be utilised for the construction of new roads and bridges or for improvement works to existing roads and bridges in the district, provided it is not required immediately or in the near future for,

[(*i*)]—expenditure on the purposes specified in [clauses (*b*) and (*c*) of] sub-section (3), [or]

[(*ii*) expenditure on the construction of any railway or tramway, the earnings from which have, as a result of an investigation of the traffic prospects of the said railway or tramway, been ascertained as sufficient to meet the working expenses of the said railway including provision for depreciation and renewals and to yield in addition on the capital invested, an interest of not less than 3 per cent annually.]

Explanation.—The expression 'improvement works [to roads]' in this sub-section includes the widening of roads, the levelling of roads, the provision of improved surfacing to roads by treatment with cement, tar, bitumen and such other materials, and the doing of any other works in respect of roads beyond ordinary repairs essential to placing them in a proper state of repair.

Addition of new sections 71-A and 71-B

[19] *18.* After section 71 of the said Regulation, the following new section [s] shall be inserted, namely :—

Power to expel persons who refuse to pay fees.

"71-A. When any fee has been imposed under section 70 or has been leased under section 71, any person employed by the District Board or lessee to collect such fees or the lessee himself may, subject to the conditions of the lease, collect the fee or expel from the place for the use of which the fee is payable any person who is liable to pay the fee but refuses to pay it.

["71-B. When a cess is imposed under the provisions of sections 68 and 69, every tenant of land in respect of which or in respect of the assessment on which the

cess is imposed shall be liable in addition to his rent to pay to his superior holder from whom the cess is recoverable, a sum calculated on the basis of the amount to be re-imbursed to the superior holder in respect of the cess imposed as aforesaid and such sum shall be recoverable as though it were part of his rent."]

[20] *19.* For sections 76, 77, 78 and 79 of the said Regulation, the following sections under a new chapter shall be substituted, namely :— Substitution of new sections for sections 76 to 79 under a new chapter.

'CHAPTER VI-A.'

DISTRICT FUND ACCOUNTS AND ADMINISTRATION REPORTS.

76. Except as hereinafter provided, no payment of any sum shall be made out of the district fund unless the expenditure of the same is covered by a budget grant, provided that the following items shall be excepted from this prohibition, namely :— Prohibition of expenditure not budgetted for.

(*a*) refunds of taxes and other moneys which the District Board is authorised by the Regulation or the rules made thereunder to make;

(*b*) repayments of moneys belonging to the contractors or other persons held in deposit and of moneys collected or credited to the district fund by mistake;

(*c*) sums which the District Board is required or empowered by this Regulation to pay by way of compensation;

(*d*) every sum payable,

(i) under section 95 by order of the Deputy Commissioner and under sections 39, 96 and 98 by order of the Government,

(ii) under a decree or order of a civil court passed against the District Board,

(iii) under a compromise of any suit or other legal proceedings or claim;

(*e*) expenses incurred in the exercise of power conferred by bye-laws made under clause (*e*) of sub-section (1) of section 57 ;

(*f*) all contributions payable by the District Board to the Government for the maintenance of water-supply, dispensaries and other institutions managed by the

Government on behalf of the District Board or on behalf of the District Board and any other local authority or authorities.

Presentation of accounts.

77. (1) The Standing Committee shall have prepared and laid before the District Board at its quarterly meetings complete accounts of the receipts and expenditure of the District Board since the first day of July last preceding and at a meeting which shall be held between the first day of February and the first day of April, a complete account of the actual and expected receipts and expenditure for the official year ending on the thirtieth day of June next following together with a budget estimate of the income and expenditure of the District Board for the official year to commence on the first day of July next following.

Budget estimate.

(2) The District Board shall thereupon decide upon the appropriations, and the ways and means contained in the budget of the year to commence on the first day of July next following. The budget as passed by the District Board shall be sent to the Government through the Deputy Commissioner before such date as may be fixed by the Government, [and the Deputy Commissioner shall submit the same to the Government with his remarks, if any, with the least practicable delay].

(3) In such budget estimate, the District Board shall, among other things—

(*a*) make adequate and suitable provision for such services as may be required for the fulfilment of the several duties imposed on the District Board by this Regulation or any other law ;

(*b*) provide for the payment, as they fall due, of all instalments of principal and interest for which the District Board may be liable in respect of loans contracted by it ;

(*c*) provide for the payment of all sums payable to the Government under section 39 and of all contributions for the maintenance of water-supply, dispensaries, schools and other institutions or services managed by the Government on behalf of the District Board and *on behalf of the District Board and* any other local authority or authorities;

(*d*) allow for a balance at the end of the said year of not less than such sum as may, from time to time, be fixed by the Government generally for all District Boards or specially for any District Board ;

(4) If the budget as submitted fails to make adequate provision for the matters specified in sub-section (3), the Government may, in according sanction, modify any part of the budget so as to ensure that such provision is made.

Revision of budget.

78. If, in the course of the official year, the District Board finds it necessary to modify the figures shown in the budget with regard to its receipts or to the distribution of the amounts to be expended on the different services it undertakes, it may do so, provided that without the approval of the Government—

(*a*) no reduction shall be made in the amounts allotted for the several items specified in clauses (*b*) and (*c*) of sub-section (3) of section 77, and

(*b*) the closing balance shall not be reduced below the sum fixed under clause (*d*) of sub-section (3) of section 77.

Maintenance of accounts and restrictions on expenditure.

79. (1) Accounts of the income and expenditure of the district fund shall be kept in accordance with the rules prescribed in this behalf.

(2) Expenditure from the district fund shall, save as otherwise expressly provided for in this Regulation, be incurred subject to the restrictions, conditions and limitations imposed in the rules prescribed in this behalf.

(3) The District Board shall, at the *first* general meeting [in July or] *held* after *the* audit of the past official year's accounts, [if such audit has not before that general meeting taken place,] pass [the] *such* accounts [of the past official year].

79-A. (1) The district fund accounts shall, from time to time, and once in every year at the least, be audited by an auditor appointed by the Government and also by such other agency, if any, as may be appointed by the District Board.

(2) The auditor or auditors shall for the purposes of [their office,] *audit* have access to all the accounts and other records of the District Board.

(3) The District Board shall pay from the district fund such charges for the audit as may be agreed upon and in the case of a Government auditor, such charges as may be prescribed by the Government.

Powers of Government auditor.

79-B. The Government auditor may—

(*a*) by written requisition require the production before him of any document which he may consider necessary for the proper conduct of his audit;

(*b*) by written requisition require any person accountable for, or having the custody or control of, any such document to appear in person before him; and

(*c*) require any person so appearing before him to make and sign a declaration with respect to such document or to answer any question or prepare and submit any statement.

Duties of Government auditor.

79-C. (1) The Government auditor shall—

(*a*) as soon as may be after the completion of the audit, deliver to the Standing Committee a report upon the audit of the district fund accounts,

(*b*) report to the Standing Committee and to the Deputy Commissioner any material impropriety or irregularity which he may observe in the expenditure, or in the recovery of moneys due to the District Board or in the district fund accounts; and

(*c*) report to the Standing Committee and to the Deputy Commissioner any loss or waste of money or other property owned by or vested in the District Board caused by neglect or misconduct, with the names of persons directly or indirectly responsible for such loss or waste;

Standing Committee to remedy defects.

(2) The Standing Committee shall forthwith remedy any defects or irregularities that may be pointed out by the auditor.

Disallowance by Government auditor and order by Deputy Commissioner.

79-D. (1) The Government auditor shall disallow every item contrary to law and report the same to the Deputy Commissioner with particulars as regards the person making, or authorising the making of, the illegal payment.

(2) The Deputy Commissioner may, on the report of the auditor or on his own motion, pass an order charging any person responsible therefor the amount of any deficiency or loss incurred by the negligence or misconduct of that person or of any sum which ought to have been but is not brought into account by that person after affording him an opportunity to explain and shall, in every such case, certify the amount due from such person.

(3) The Deputy Commissioner shall state in writing the reasons for his decision in respect of every charge and furnish a copy thereof to the person against whom it is made.

79-E. Any person aggrieved by the order of the Deputy Commissioner under the last preceding section

may, within one month after he has received or been served with the decision of the Deputy Commissioner, either apply to the principal civil court of original jurisdiction to set aside such charge and the court, in such case after taking such evidence as is necessary, may confirm, modify or remit such charge with such orders as to costs as it may think proper in the circumstances; or in lieu of such application, the person so aggrieved may, within the like period, appeal to the Government who shall pass such orders as it thinks fit.

Recovery of amounts disallowed.

79-F. Every sum certified to be due from any person by the Deputy Commissioner under this Regulation shall be paid by such person to the District Board within one month after the intimation to him of the said decision unless within that time such person has appealed to the court or to the Government against the decision; and such sum if not so paid, or such sum as the court or the Government shall declare to be due, shall be recoverable by the Deputy Commissioner as an arrear of land revenue along with the necessary expenses of such recovery *and shall be* credited to the district fund.

Transmission of accounts to Government.

79-G. The District Board shall, as soon as the annual accounts have been finally passed by it, transmit to the Government, or any officer duly authorised by it in this behalf, a copy thereof, or an account in the form prescribed in this behalf, and shall furnish such details and vouchers relating to the same as the Government or such officer may, from time to time, direct.

Annual Administration Report.

79-H. (1) As soon as may be after the first day of July in every year and not later than such date as may be fixed by the Government, the President shall submit to Government through the Deputy Commissioner, a report on the administration of the Board during the preceding official year in such form and with such details, as the Government may direct, with the resolution of the District Board thereon.

(2) The report may be published in such manner as the District Board, subject to the approval of the Government, may direct.

Amendment of section 94.

[21] *20.* In sub-section (1) of section 94 of the said Regulation, after the words "breach of peace" the words "or is unlawful" shall be inserted.

Amendment of section 95.

[22] *21.* (1) After the word "balance" at the end of sub-section (2) of section 95 of the said Regulation, the words "and such person shall be bound to comply with such order" shall be inserted.

(2) For sub-section (3) of the said section, the following shall be substituted, namely :—

"The provisions of sub-section (2) of section 94 shall apply, so far as may be, to any order made under this section."

Amendment of section 96.

[23] *22.* In sub-section (1) of section 96 of the said Regulation, after the words "by or under this Regulation," the words "or by or under any enactment for the time being in force," shall be inserted and after the word "balance" at the end of sub-section (3) of the said section, the words "and such person shall be bound to comply with such order" shall be inserted.

Amendment of section 98.

[24] *23.* Section 98 of the said Regulation shall be treated as sub-section (1) thereof and the following shall be inserted as sub-section (2) namely :—

"(2) No suit shall be entertained by a Civil Court in respect of any dispute referred to in sub-section (1)."

In sub-section (1) as re-numbered, the words 'or Village Panchayets' shall be inserted after the words 'Municipal Councils.'

Amendment of section 100.

[25] *24.* (1) In sub-section (2) of section 100 of the said Regulation, after the word "Committees" in clause (*c*), the words "and to the interpellation of the President by the members and to the moving of resolutions at meetings of District Boards" shall be inserted.

(2) For clause (*n*) of the said sub-section, the following clause shall be substituted, namely :—

"(*n*) as to the conditions under which rate-payers may appear before the Government auditor, inspect books and vouchers and take exception to items entered in the accounts or omitted therefrom."

(3) Clause (*r*) of the said sub-section shall be re-numbered as clause (*s*), the following new clause being inserted after clause (*q*), namely :—

"(*r*) for prescribing punishment not exceeding five hundred rupees for breach of any rule and also a further fine which may extend to twenty-five rupees for every day on which such breach continues after the date of

conviction or any subsequent date, as may be fixed by the Magistrate."

[26] *25.* After section 100 of the said Regulation, the following new section shall be inserted, namely, Addition of a new section as 100 A.

"100A. The Government may delegate all or any of its powers under this Regulation to any officer subordinate to it." Delegation of powers by Government.

[27] *26.* Section 106 of the said Regulation shall be treated as sub-section (1) thereof and the following shall be inserted as sub-section (2) thereof, namely :— Amendment of section 106.

"(2) Nothing in this section shall be deemed to apply to any suit instituted under section 54 of the Specific Relief Act, 1877 as in force in Mysore."

[28] *27.* After sub-section (2) of section 108 of the said Regulation, the following sub-sections shall be inserted, namely : Amendment of section 108.

"(3) Nothing contained in this section shall prevent the District Board allowing any temporary occupation of or erections in any public street on occasions of festivals and ceremonies, and in such manner, as not to inconvenience the public or any individual.

(4) Nothing contained in this section shall apply to any projection duly authorised by the District Board or in any case where permission has been given under sub-section (3) of this section."

[29] *28.* In clause (*a*) of schedule II of the said Regulation, between the words "As" and "a", the words "a slaughter-house or as " shall be inserted. Amendment of schedule II.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. R. 6239—*L. R.* 344-35-2, *dated Bangalore,* 21*st May* 1936.

In exercise of the powers conferred by Section 233(*n*) of the Mysore Land Revenue Code, the Government of His Highness the Maharaja of Mysore direct that Rule 6-A of the Rules under the said Code inserted as per Notification No. R. 7642—R. M. 778-04-05, dated 29th December 1905 be deleted and that the existing Rule 6 be amended as hereunder:—

The holders of unsurveyed and unsettled alienated villages are required to keep the following accounts and to furnish copies thereof at the close of each year to the Amildar of the Taluk:—

(*a*) Account of the demand, collection and balance of each raiyat, Village Form No. 14, and

(*b*) A register of lands held by each raiyat, Village Form No. 15.

In respect of surveyed and settled villages, all the accounts prescribed for Government villages should be maintained in addition to the above, copies of Form No. IX being sent to the Taluk Office every year in addition to Forms XIV and XV.

No. R. 6278—L.S. 66-35-4, dated Bangalore, 25th May 1936.

Under Section 17 (1) of the Record of Rights Regulation X of 1927, the Government of His Highness the Maharaja of Mysore are pleased to issue the following amendment to Rule 38-A of the Rules under the said Regulation :—

Add the following as a sub-para under Rule 38-A of the Rules :—

"No fee shall be charged in the case of grants of lands on darkhasts to private individuals."

By Order,
A. V. RAMANATHAN,
Chief Secretary to Government.

No. D. 7141—C. S. 33-35-5, dated Bangalore, 20th May 1936.

Under Section 44 of the Mysore Co-operative Societies' Regulation VII of 1918, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to make the following amendment to Rule 16 (ii) of the Rules under the Regulation :—

After the word "Registrar" occurring in the first sentence of Rule 16 (ii), add the words "The Deputy Registrar or the Assistant Registrar who is deciding the dispute."

and

For the word "Registrar" occurring in the second sentence of the Rule, substitute the words "officer making the appointment."

An additional Sub-paragraph as follows shall also be inserted. "When a necessity arises for the appointment of a guardian to a minor or a person of unsound mind in a dispute before an arbitrator, the file may be returned to the Deputy Registrar or the Assistant Registrar who referred the dispute to him for the appointment of a guardian."

The Rule will, with these amendments, read as follows :—

"16. (ii) Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar or the

Deputy Registrar or Assistant Registrar who is deciding the dispute, on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind. The officer making the appointment, may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

When a necessity arises for the appointment of a guardian to a minor or a person of unsound mind in a dispute before an arbitrator, the file may be returned to the Deputy Registrar or the Assistant Registrar who referred the dispute to him for the appointment of a guardian."

No. P. 7768—Legis. 46-35, dated Bangalore, the 22nd May 1936.

1. In exercise of the powers conferred on them under Section 22 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to sanction with effect from 1st July 1936, the following exemptions from tolls in respect of bullock carts :—

(i) At all frontier toll-gates, and at all toll-gates established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation and those to be established on roads and bridges to be constructed hereafter under Section 20 of the said Regulation, bullock carts belonging to agriculturists residing within 5 miles of the said toll-gate shall be free of tolls at that gate, when such carts are laden with manure, implements, seed, or agricultural produce to and from their fields and when they return unladen.

Note.—Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Panchayet of the village to which the cart belongs.

(ii) At all interior toll-gates, that is, toll-gates other than those specified in item (i) above, all bullock carts, except those carrying timber, fire-wood, bamboos, stone and ore are exempt from tolls.

2. From the date, *viz.*, 1st of July 1936 that this comes into force, the existing exemption, *vide.*, item No. I-(xvii) and No. III-(i) of the Notification No. P. 3317—

Legis. 46-35, dated 18—19th November 1935 shall be deemed to be cancelled.

CIRCULAR.

No P. 7791-7800—*Legis., Bangalore, dated 22nd May* 1936.

It is notified for the information of those concerned that, with effect from 1st July 1936, exemptions from tolls allowed in respect of bullock carts will be as follows :—

(1) The rules contemplate two different kinds of exemption. These are referred to in Sub-paragraphs (i) and (ii) of paragraph 1 of the Notification No. P. 7768—Legis. 46-35, dated 22nd May 1936. The former refers only to frontier and *ad-hoc* toll-gates and the latter to interior toll-gates. The object of the former is to exempt carts belonging to agriculturists living within a distance of 5 miles of the toll-gate when they are laden with manure, implements, seed or agricultural produce to and from their fields and when they return unladen. In this case the person in charge of the cart is to produce a certificate from the Patel or the Chairman of the Village Panchayet of the village at which the cart is kept.

(2) As regards interior toll-gates, *i.e.,* toll-gates other than those referred to in item 1 above, the existing rule has been modified so as to make quite clear what carts are liable to tolls. No toll is leviable on bullock carts at these gates except when they carry timber, firewood, bamboos, stone and ore. Carts other than those laden with the commodities specified above including empty carts are free of tolls and this exemption applies whether the cart belongs to an agriculturist or not and irrespective of the distance from the toll-gate of the village in which the cart is kept.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

To—The Deputy Commissioners of Districts.
The Revenue Commissioner in Mysore.
The Compiler, *Mysore Gazette.*

No. 4681—L. C., Bangalore, dated 26th May 1936.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill to enforce Legislation suppressing Immoral Traffic in the Mysore State is published for general information.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

Report of the Select Committee on the Bill to enforce Legislation suppressing Immoral Traffic in the Mysore State.

We, the undersigned members to which the Bill for the suppression of immoral traffic was referred have considered the Bill at the meetings held on 27th March 1936 and 6th May 1936 and have now the honour to submit this, our report.

2. The Committee consider that the bill should deal mainly with the two connected questions of suppression of brothels and of immoral traffic and have made suitable changes in the bill to bring this out more clearly.

3. In this view we have altered the heading of the bill into "Bill for the suppression of brothels and immoral traffic" and altered the preamble as follows:—

"Whereas it is expedient to make provision for the suppression of brothels and immoral traffic in the Mysore State; It is hereby enacted as follows:—"

4. *Clause 1 (a).*—The word "Mysore" should be omitted in the short title as it is unnecessary.

5. We are of opinion that the Regulation should come into operation only when conditions suitable for its working exist in a particular area and the Government may be empowered to extend it to particular areas when they are satisfied that such conditions exist. In clauses 6, 7 and 8 of the Bill as amended by us, provision is made for rescuing girls from brothels and placing them in rescue homes. The establishment of rescue homes in a local

area is therefore a condition precedent for the extension of these provisions to such area, and we consider that it is necessary to insert a provision to this effect in the clause defining the 'Extent' of the Regulation. We have therefore recast clause 1 (*b*) as follows:—

"1 (*b*) The Government may, from time to time, by notification in the official Gazette, apply all or any of the provisions of this Regulation to the whole or any portion of Mysore from such date as may be specified in the notification and may cancel or modify any such notification.

"Provided that sections 6, 7 and 8 shall not be so applied to any area unless the Government are satisfied that there are sufficient number of rescue homes in that area."

5. *Clause 2* (i).—In the definition of "brothel" the word "habitually" should be inserted after the word "thereof" where it occurs a second time as the characteristic of a brothel is habitual use for purposes of prostitution.

(ii) Definitions of "place of public amusement" "place of public entertainment" should be omitted as clauses 4 and 5 which are the only clauses wherein they occur, are proposed to be deleted.

(iii) In the definition of "prostitution" the word "promiscuous" should be substituted for "indiscriminate."

(iv) In the definition of "Magistrate" the words "a City Magistrate or" should be omitted as a stipendiary magistrate of the First Class will include a City Magistrate.

(v) In view of the provision in the General Clauses Regulation, the definition of "he" is unnecessary and should be omitted.

(vi) The following definition should be added at the end of clause 2:—

"Prescribed" means prescribed by rules made under this Regulation.

6. *Clause* 3.—The provision in the Bill in respect of solicitation has been taken from the Bombay Act which is an enactment specially applicable to the City of Bombay which has its own peculiar problems and difficulties in the matter. The clause is somewhat elaborate and there will be practical difficulties in its operation in Mysore. We are of opinion that it is only where solicitation becomes an annoyance or nuisance, or offends against public

decency, that it should be penalised. We therefore recommend that the clause may be amended as follows :—

"3. Whoever,

(1) in any street or public place, solicits any person for the purpose of prostitution, in such manner as to cause obstruction, annoyance or danger to the residents or passengers or to offend against public decency, or

(2) frequents such street or public place, for the purpose of prostitution or of solicitation so as to constitute a nuisance, or to offend against public decency,

shall be punished with imprisonment for a term which may extend to two months or with fine which may extend to two hundred rupees or with both."

7. *Clauses 4 and 5.*—As the main purpose of the bill is confined to suppression of brothels and immoral traffic in women and girls, it does not appear to be necessary to deal with offences other than those relating to them. Clauses 4 and 5 which are adopted from the Bombay Act are very wide and aim as it were, at the suppression of prostitution which is not the object of the present bill. Further, the offences as embodied in the clauses are difficult of proof and depend mostly on circumstantial evidence and special presumptions. For these reasons, we recommend that clauses 4 and 5 be deleted and that the subsequent clauses be renumbered.

8. *Clause 6.*—We have amended this clause as follows to make it more clear :—

"4. Any person who induces a woman or girl to go from any place with intent that she may, for the purposes of prostitution, become the inmate of or frequent a brothel, shall be punished with imprisonment which may extend to two years, or with fine which may extend to five hundred rupees or with both."

9. *Clause 7.*—The wording of this clause is vague. It is not clear what is meant by "bringing into any village or town or city" whether from outside the State or from any other place within the State. It is the taking from one place to another for the business of prostitution that is the essence of the offence. We have therefore amended the clause as follows :—

"5. Any person who takes or attempts to take or causes to be taken from one place to another any woman or girl with a view to her carrying on or being brought up to carry on the business of prostitution or causes or induces any woman or girl to carry on the business of prostitution shall be punished with imprisonment which may extend to two years or with fine which may extend to five hundred rupees or with both."

10. *Clause 8.*—The words "empowered under this Regulation" should be omitted as they are unnecessary. For the words "of a prostitute" the words "of prostitution" should be substituted, as the latter has been defined.

11. *Clause 9.*—We have redrafted clause 9 as follows :—

"7. A girl who has been removed under section 6 shall be brought before a magistrate having local jurisdiction and such magistrate shall make such inquiry as he thinks fit and if satisfied that the girl is under the age of 18 years, he may make an order that such girl be placed until she attains the age of 21 years or for any shorter period, under such conditions as may be prescribed, in a rescue home provided or aided or recognised by the Government or in such other custody as the Court, for reasons to be stated in writing, shall consider suitable, provided that such custody shall not be that of a person other than a relative of the girl or of a body of a different religious persuasion from that of the girl."

12. *Clause 10.*—We have recast this clause with some verbal alterations as follows :—

"8 When a girl has been removed from a brothel or disorderly house or place of assignation under the provisions of section 6, the police officer carrying out the removal shall, until such girl can be brought before a magistrate cause her to be detained in a rescue home provided, aided, or recognised by the Government or in such other suitable custody (other than a police station or jail) as may be prescribed in this behalf by the Government, provided, however, that such custody shall not be that of a person or a body of a different religious persuasion from that of the girl."

13. As the magistrate has power to order the detention of a minor girl in a rescue home or other suitable custody, it is necessary to confer on the person having such custody the powers of a guardian over the minor girl. We recommend that the following clause be inserted as clause 9 on the lines of Section 19 of the Bengal Act, VI of 1933.—

"9. Notwithstanding anything contained in any other law, any person to whose custody a girl is committed by an order made under Section 7 shall, while the order is in force, have the like control over the girl as if he were her parent and shall be responsible for her maintenance and protection and the girl shall continue in his custody notwithstanding that she is claimed by her partent, or any other person."

14. *Clause 11.*—This clause which has been adopted from the Bombay Act is very elaborate requiring also a special presumption for making out an offence and it

will cause difficulties in working. We consider that it will be sufficient and effective if we provide merely for the case of unlawful detention in a brothel. We recommend that sub-clause (a) be recast as follows, sub-clause (b) being omitted :—

"10. Any person who detains any woman or girl against her will in a brothel for purposes of prostitution, shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both."

15. *Clause* 12.—This clause is supplementary to sub-clause (b) of clause 11 which lays down a special presumption. Since the special presumption clause has been deleted, the majority of us are of opinion that clause 12 should also be deleted.

Messrs. D. S. Mallappa, H. C. Dasappa and T. Ramachandra are of opinion that this clause should be retained with a view to protect a woman rescued from a brothel from any civil or criminal proceedings at the instance of the brothel keeper in respect of any jewels, clothing or money given or lent to her. The majority however considered that the ordinary law itself gives sufficient protection and no special provision is necessary. If jewels, clothing or money have been given or lent to a woman or girl by the brothel keeper for carrying on the business of prostitution, the transaction is unlawful under law and he cannot recover them back.

16. *Clause* 13. This clause has been very elaborately worded—especially sub-clause (iii) for determination of the lease. A simple provision entitling the lessor to determine the tenancy on conviction of the tenant of an offence under this section would be sufficient. We have therefore redrafted this clause as follows :—

"11. (1) Any person who keeps or manages or acts or assists in the management of a brothel shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both ;

(2) Any person who,

(*a*) being the tenant, lessee, occupier, or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel, or

(*b*) being the lessor or landlord of any premises, or the agent of such lessor or landlord, lets the same, or any part thereof, to any person convicted under sub-section (1) or clause (a) of this sub-section with the knowledge that such premises or some part thereof are or is to be used as a brothel, or is wilfully a party to the use of such

premises, or any part thereof, as a brothel, shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees or with both.

(3) Notwithstanding anything contained in any other law for the time being in force, the owner or lessor of any house, room or place, in respect of which the lessees, tenant or occupier thereof has been convicted under clause (a) of sub-section (2) shall be entitled forthwith to determine such lease, tenancy or occupation."

17. *Clause* 14 *and* 15.—We have redrafted clauses 14 and 15 as follows :—

"12. Any Police Officer (not below the rank of Inspector) on complaint, and any Police Officer authorised in this behalf by the District Superintendent of Police by special order, may arrest without a warrant any person committing in his view any offences punishable under sections 3, 4, 5 and 10 if the name and address of such person be unknown to such Police Officer and cannot be ascertained by him then and there, or if he has reason to suspect that a false name and address has been given.

"13. Notwithstanding anything contained in any other law for the time being in force, only a Police Officer authorized in this behalf by the District Superintendent of Police may for the purposes of ascertaining whether an offence punishable under sections 3, 4, 5 or 10 has been or is being committed, enter without a warrant any premises in which he has reason to believe that any woman or girl is living in respect of whom an offence punishable under sections 3, 4, 5 or 10 has been committed."

18. *Clause* 19.—We have redrafted the clause as follows :—

"14. No court inferior to that of a stipendiary Magistrate of the First Class shall try offences under sections 3, 4, 5, 10 and 11."

19. We have inserted the usual rule making clause as follows :—

"15. The Government may make rules generally for carrying into effect the provisions of this Regulation and in particular;

(*a*) for the care, treatment, instruction and the maintenance of girls placed in a Rescue Home or Homes or other suitable custody under Section 7 ;

(*b*) for the detention of girls under the provisions of Section 8."

20. As there have been very many changes in the Bill, we recommend that it be republished.

(Sd.) S. P. Rajagopalachari,
(*Chairman.*)
" F. A. Hamilton.
" S. Subba Rao.
" H. V. Ramasvami.
" A. R. Nagesvara Iyer.
" K. R. Srinivasa Iyengar.
" D. V. Gundappa.
" H. C. Dasappa.
" Md. Abbas Khan.
" D. S. Mallappa.
" B. K. Garudachar.

Mr. T. Ramachandra has not yet intimated his approval.

BILL AS AMENDED BY THE SELECT COMMITTEE.

(Additions are indicated in italics and portions omitted are enclosed in square brackets).

BILL [TO ENFORCE LEGISLATION SUPPRESSING] *FOR THE SUPPRESSION OF BROTHELS AND* **IMMORAL TRAFFIC IN THE MYSORE STATE.**

Whereas it is to expedient [enforce the law regarding] *make provision for the* Suppression of *brothels and* Immoral Traffic in the Mysore State. It is hereby enacted as follows :—

SHORT TITLE.

1. (*a*) This Regulation may be called the [Mysore] Suppression of Immoral Traffic Regulation of 193 .

EXTENT.

[(*b*) This Section, Section 6, Section 12, Section 13, and Section 16 shall extend to the whole of the Mysore State. The rest of this Regulation shall extend, in the first instance, to the Cities of Bangalore and Mysore, but the Government may, by notification, extend to any other

local area, all or any of its provisions with such verbal modifications as, having regard to the principles of this Regulation, may be necessary for the purposes of such extension.]

"(*b*) *The Government may from time to time, by notification in the Official Gazette apply all or any of the provisions of this Regulation to the whole or any portion of Mysore from such date as may be specified in the notification and may cancel or modify any such notification.*

"*Provided that sections* 6, 7 *and* 8 *shall not be so applied to any area unless the Government are satisfied that there are sufficient number of rescue homes in that area.*"

DEFINITION.

2. In this Regulation, unless there is anything repugnant in the subject or context :—

'Brothel' means any house, room, or place, or any part thereof which the occupier or person in charge thereof *habitually* allows to be used by any other person for the purposes of prostitution.

['Place of public amusement' shall mean any place, enclosure, building, tent, booth, or other erection, whether permanent or temporary, where music, singing, dancing, or any diversion or game, or the means of carrying on the same, is provided, and to which the public are admitted either on payment of money or with the intention that the money may be collected from those admitted, and shall include a race course, circus, theatre, music hall, billiard room, bagatelle room, gymnasium or fencing school, massage room and turkish baths.

'Place of public entertainment' shall mean any place, whether enclosed or open, to which the public are admitted and where any kind of food or drink is supplied for consumption on the premises for the profit or gain of any person owning or having an interest in or managing such place ; and shall include a refreshment-room, eating-house, coffee-house, liquor-house, boarding-house, lodging-house, hotel, tavern, or wine, beer, spirit, arrack, toddy, ganja, bhang or opium shop.]

'Prostitution' means [indiscriminate] *promiscuous* sexual intercourse for hire.

'Magistrate' means [a City Magistrate or] a Stipendiary Magistrate of the First Class.

['He' means and includes 'She' also.]

'Prescribed' means prescribed by rules made under this Regulation.

SOLICITATION.

3. [Whoever in any street or public place or place of public resort or within sight of and in such manner as to be seen or heard from any street or public place, whether from within any house or building or not,

(*a*) by words, postures, wilful and indecent exposure of his or her person or otherwise, attracts or endeavours to attract attention for the purpose of prostitution, or;

(*b*) solicits or molests any other person for the purpose of prostitution shall be punished with imprisonment for a period or term which may extend to three months, or with fine which may extend to one hundred rupees.]

Whoever,

(1) *in any street or public place, solicits any person for the purpose of prostitution, in such manner as to cause obstruction, annoyance or danger to the residents or passengers or to offend against public decency, or*

(2) *frequents such street or public place, for the purpose of prostitution or of solicitation so as to constitute a nuisance, or to offend against public decency*

shall be punished with imprisonment for a term which may extend to two months or with fine which may extend to two hundred rupees or with both."

[PROSTITUTION IN PLACES OF PUBLIC AMUSEMENT.]

[4. Whoever being the owner, keeper, landlord or manager of any place of public amusement or entertainment, knowingly permits prostitutes or procurers for the purpose of their trade to meet or remain in such place, shall be punished with fine which may extend to one hundred rupees.

LIVING ON THE EARNINGS OF PROSTITUTION.

5. (*a*) Any person over the age of sixteen who knowingly employs or causes or abets the employment by another person for prostitution and lives, wholly or in part on such earnings shall be punished with imprisonment which may extend to two years, or with fine which may extend to five hundred rupees, or both.

Presumption thereof.

(*b*) Where a person is proved to be living with or to be habitually in the company of a prostitute or is proved to have exercised control, direction, or influence over the movements of a prostitute in such a manner as to show that he is aiding, abetting, or compelling her prostitution with any other person or generally, it shall be presumed, until the contrary is proved, that he is knowingly living on the earnings of prostitution.

PROCURATION.

6. Any person who procures or attempts to procure or causes to procure any woman or girl, whether with or without her consent, to become a prostitute, or who, with intent that she may for the purposes of prostitution become the inmate of or frequent a brothel, persuades a woman or girl to leave her usual place of abode, shall be punished with imprisonment which may extend to two years, or with fine which may extend to five hundred rupees or both.]

"4. *Any person who induces a woman or girl to go from any place with intent that she may, for the purposes of prostitution, become the inmate of or frequent a brothel, shall be punished with imprisonment which may extend to two years, or with fine which may extend to five hundred rupees or with both.*"

IMPORTING WOMAN OR GIRL FOR PROSTITUTION.

[7. Any person who brings or attempts to bring or causes to be brought into any village, town or city in the State, any girl or woman, with a view to her becoming a prostitute, shall be punished with imprisonment which may extend to three years, or with fine which may extend to five hundred rupees, or with both.]

"5. *Any person who takes or attempts to take or causes to be taken from one place to another any woman or girl with a view to her carrying on or being brought up to carry on the business of prostitution or causes or induces any woman or girl to carry on the business of prostitution shall be punished with imprisonment which may extend to two years or with fine which may extend to five hundred rupees or with both.*"

[8] *6.* Where a Magistrate [empowered under this Regulation] has reason to believe from a report made to him by a Police Officer, or otherwise, that a girl apparently under the age of 18 years is living or is carrying on or is being made to carry on the business of [a prostitute] prostitution in a brothel, disorderly house, or place of assignation, he may issue an order to a Police Officer not below the rank of an Inspector specially authorised in writing in this behalf by the Superintendent of Police, to enter into such brothel, disorderly house or place of assignation, and to remove therefrom such girl; and thereupon such Police Officer shall have the power to enter into such brothel, disorderly house or place of assignation, and shall be entitled to remove such girl forthwith from such brothel, disorderly house or place of assignation.

COMMITMENT TO SUITABLE CUSTODY.

[9. A girl who has been so removed shall be brought before a Magistrate empowered under this Act, and the Magistrate shall cause an inquiry to be made and if satisfied that the girl is under 18 years of age and that she should be dealt with as therein provided, may make an order that such girl be placed, until she attains the age of 21 years or for any shorter period, in a Rescue Home provided or aided or recognised by the Government or in such other custody as the court for reasons to be stated in writing shall consider suitable, provided that such custody shall not be that of a person other than a relative of the girl or body of a different religious persuasion from that of the girl.]

"7. *A girl who has been removed under section 6 shall be brought before a magistrate having local jurisdiction and such magistrate shall make such inquiry as he thinks fit and if satisfied that the girl is under the age of 18 years, he may make an order that such girl be placed until she attains the age of 21 years or for any shorter period, under such conditions as may be prescribed, in a rescue home provided or aided or recognised by the Government or in such other custody as the Court, for reasons to be stated in writing shall consider suitable, provided that such custody shall not be that of a person other than a relative of the girl or of a body of a different religious persuasion from that of the girl.*"

INTERMEDIATE CUSTODY OF THE GIRL REMOVED FROM BROTHEL, ETC.

[10. When a girl has been removed from a brothel or disorderly house or place of assignation under the provisions of Section 8, the Superintendent of Police in Mysore or any other Police Officer carrying out the removal shall, until such girl can be brought before the court, cause her to be detained in a Rescue Home provided, aided, or recognised by the Government (other than a police station or jail), provided that as far as possible such custody shall not be that of a body of a different religious persuasion from that of the girl.]

"8. *When a girl has been removed from a brothel or disorderly house or place of assignation under the provisions of section 6, the police officer carrying out the removal shall, until such girl can be brought before a magistrate cause her to be detained in a rescue home provided, aided or recognised by the Government or in such other suitable custody (other than a police station or jail) as may be prescribed in this behalf by the Government, provided, however, that such custody shall not be that of a person or a body of a different religious persuasion from that of the girl.*"

9. *Notwithstanding anything contained in any other law, any person to whose custody a girl is committed by an order made under Section 7 shall, while the order is in force, have the like control over the girl as if he were her parent and shall be responsible for her maintenance and protection and the girl shall continue in his custody notwithstanding that she is claimed by her parent, or any other person.*"

UNLAWFUL DETENTION FOR PROSTITUTION.

[11. (*a*) Whoever detaining any woman or girl against her will,

(i) in any house, room, or place in which the business of a common prostitute is carried on, or

(ii) in or upon any premises with intent that she may have sexual intercourse with any man, other than her husband, whether with any particular man or generally,

shall be punished with imprisonment which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

Presumption thereof.

(*b*) Where a woman or girl is in any house, room, or place in which the business of a common prostitute is carried on, or is in or upon any premises for the purpose of having sexual intercourse referred to in sub-clause (ii), a person shall be deemed to detain such woman or girl in such house, room, place or in or upon such premises if, with intent to compel or induce her to remain there, such person withholds from her any wearing apparel, personal ornaments or other property belonging to her; or, where wearing apparel, personal ornaments, other personal property, or money has been lent or otherwise supplied to such woman or girl by or by the direction of such person, if such person threatens such woman or girl with legal proceedings if she takes away with her the wearing apparel or personal ornaments or other personal property so lent or supplied, or for the recovery of such money.]

"10. *Any person who detains any woman or girl against her will in a brothel for purposes of prostitution, shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.*"

[BAR OF CERTAIN LEGAL PROCEEDINGS.]

[12. No civil suit shall lie, and no proceedings whether civil or criminal shall be taken, against any such woman or girl or against any person on her behalf, by or on behalf of any person occupying or managing or acting or assisting in the management of any such house, room, place or premises, for the recovery of any wearing apparel, personal ornaments, or other property, alleged to have been lent or supplied to or for such woman or girl or to have been pledged by or for her or for the recovery of any money alleged to be payable by or on behalf of such woman or girl.]

PUNISHMENT FOR KEEPING A BROTHEL OR ALLOWING PREMISES TO BE USED AS A BROTHEL.

"11. (1) Any person who keeps or manages or acts or assists in the management of a brothel shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

(2) Any person who,

(a) being the tenant, lessee, occupier, or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel, or

(b) being the lessor or landlord of any premises, or the agent of such lessor or landlord, lets the same, or any part thereof, to any person convicted under sub-section (1) or clause (a) of this sub-section with the knowledge that such premises or some part thereof are or is to be used as a brothel, or is wilfully a party to the use of such premises, or any part thereof, as a brothel;

shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees or with both,

(3) Notwithstanding anything contained in any other law for the time being in force, the owner or lessor of any house, room or place, in respect of which the lessee, tenant or occupier thereof has been convicted under clause (a) of sub-section (2) shall be entitled forthwith to determine such lease, tenancy or occupation."

A

[13. (i) Any person who—

(*a*) keeps or manages or acts or assists in the management of a brothel; or

(*b*) being the tenant, lessee, occupier or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel; or

(*c*) being the lessor, or landlord of any premises or the agent of such lessor or landlord, lets the same, or any part thereof, with the knowledge that the same or any part thereof,

may be used as a brothel, or is wilfully a party to the continued use of such premises or any part thereof, as a brothel;

shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees.

Punishment for Subsequent Offence.

B

13. (ii) Any person who, having been convicted of an offence punishable under Section A, is convicted of a subsequent offence punishable under the said section, shall be punished with imprisonment which may extend to one year, or with fine which may extend to one thousand rupees, or with both, and may in addition to such punishment, be required by the court to execute a bond, with sureties, for his good behaviour for such period not exceeding three years, as the court may direct, and in default of executing such bond, may be imprisoned for a period not exceeding six months in addition to the punishment awarded in respect of his offence.

Determination of Tenancy of Premises on Conviction for Permitting use as a Brothel or for Purposes of Habitual Prostitution.

C

13. (iii) (*a*) On conviction of the tenant, lessee or occupier for any offence under Section A, clause (*b*), the landlord or lessor shall be entitled to require the person so convicted to assign the lease or other contract, under which the said premises are held by him, to some person approved by the landlord or lessor, which approval shall not be unreasonably withheld, and, in the event of the person so convicted failing within three months to assign the lease or contract as aforesaid, the landlord or lessor shall be entitled to determine the lease or other contract, but without prejudice to the rights or remedies of any part to such lease or contract accruing before the date of such determination.

(*b*) If the landlord or lessor determines a lease or contract of tenancy under the provisions of sub-section (*a*), the court which has convicted the tenant, lessee or occupier may make an order for delivery of possession to

the landlord or lessor within such time, not being less than seven days, as the court may direct. The order shall be served on the person against whom it is made in the manner provided in the Code of Criminal Procedure for service of a summons, and if such person fails to comply with it, he shall be punished with imprisonment which may extend to one month, or with fine which may extend to two hundred rupees.

(*c*) If the landlord or lessor after he has received notice in writing of such conviction fails to exercise his rights under sub-section (*a*) and consequently during the subsistence of the lease or contract any such offence is again committed in respect of the premises, the landlord or lessor shall be deemed to have abetted that offence, unless he proves that he has taken all reasonable steps to prevent the recurrence of the offence.

(*d*) Where a landlord or lessor determines a lease or other contract under this section, and subsequently grants another lease or enters into another contract of tenancy to, with, or for the benefit of the same person, without causing to be inserted in such lease or contract all reasonable provisions for the prevention of a recurrence of any such offence, he shall be deemed to have failed to exercise his rights under the provisions of this section and any such offence committed during the subsistence of the subsequent lease or contract shall be deemed, for the purpose of this section, to have been committed during the subsistence of the previous lease or contract.]

ARREST WITHOUT WARRANT.

"12. *Any Police Officer (not below the rank of Inspector) on complaint, and any Police Officer authorised in this behalf by the District Superintendent of Police by special order, may arrest without a warrant any person committing in his view any offences punishable under Sections 3, 4, 5 and 10 if the name and address of such person be unknown to such Police Officer and cannot be ascertained by him then and there, or if he has reason to suspect that a false name and address has been given.*

"13. *Notwithstanding anything contained in any other law for the time being in force, only a Police Officer authorized in this behalf by the District Superintendent of Police may for the purposes of ascertaining whether an offence punishable under Sections 3, 4, 5 or 10 has been or is*

being committed, enter without a warrant any premises in which he has reason to believe that any woman or girl is living in respect of whom an offence punishable under Sections 3, 4, 5 or 10 has been committed."

[14. (*a*) Any Police Officer, not below the rank of an Inspector on information, and, if the offence is committed in his view, any Police Officer specially authorised in this behalf by the District Magistrate, may arrest without a warrant any person committing an offence punishable under Section 3.

(*b*) Any Police Officer, not below the rank of an Inspector, may, without an order from a Magistrate and without warrant, arrest any person who has been concerned in an offence punishable under Section 11, or against whom a reasonable complaint has been made or credible information has been received, of his having been concerned in an offence under sub-section (*c*) of Section 13 (i).

POWER TO ENTER PREMISES.

15. If the Magistrate or the District or a First Class Magistrate or the District Superintendent of Police or Assistant Superintendent of Police, holding jurisdiction in the area, for the purpose of ascertaining whether an offence punishable under Sections 5, 6, 7 and 11, has been or is being committed in any building, enclosure, room, place in which he has reason to believe that any woman or girl is living in respect of whom, an offence punishable under Sections 5, 6, 7 or 11 has been committed, may either himself enter or by his warrant give authority to any Police Officer, not below the rank of a Police Inspector, to enter with such assistance as may be found necessary, by night or by day and by force, if necessary.

Any Police Officer, not below the rank of an Inspector, authorised in this behalf by the District Magistrate by special order may, for the purpose of ascertaining whether an offence punishable under Sections 5, 6, 7, 8 or 11 has been or is being committed, enter without a warrant, any premises in which he has reason to believe that any woman or girl is living in respect of whom an offence punishable under Sections 5, 6, 7, 8 or 11 has been committed.]

OFFENCES TRIABLE BY CERTAIN MAGISTRATES ONLY.

[16. Offences punishable under Sections 5, 6, 7 or 8 shall be triable by the Courts of Sessions, City Magistrates and Stipendiary Magistrates of the First Class only.]

"14. *No court inferior to that of a stipendiary Magistrate of the first class shall try offences under Sections 3, 4, 5, 10 and 11.*"

"15. *The Government may make rules generally for carrying into effect the provisions of this Regulation and in particular*

(a) *for the care, treatment, instruction and the maintenance of girls placed in a rescue home or homes or other suitable custody under Section 7;*

(b) *for the detention of girls under the provisions of Section 8.*"

No. 4675—Encls.—L.C., Bangalore, dated 26th May 1936.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Agriculturists' Relief Regulation is published for general information with the statement of objects and reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

Bill further to amend the Mysore Agriculturists' Relief Regulation.

Whereas it is expedient to further amend the Mysore Agriculturists' Relief Regulation, 1928, it is hereby enacted as follows:—

After Sub-section (1) of Section 4 of the Mysore Agriculturists' Relief Regulation, 1928, the following new Sub-section shall be inserted, namely—

(1-A) Notwithstanding anything to the contrary contained in this Regulation, the question as to the status of a party as an agriculturist, in suits filed after—shall be raised at the earliest possible opportunity.

Statement of Objects and Reasons.

From Explanation (*c*) to Section 2 of the Mysore Agriculturists' Relief Regulation, 1928, it would appear that a party to a suit under the Regulation could raise the question of status of an agriculturist for claiming the benefit of the Regulation, at any stage of the suit. Such a provision might have been all right at the time the Regulation was passed since there were pending suits and the Regulation was made applicable to them also.

In fairness to the plaintiffs and to the Courts it is desirable that in future suits, the defendant should be required to raise his claims for the benefit of the Regulation at the earliest possible moment.

It is accordingly proposed to amend the Regulation as in the Bill.

No. 4677 *Dncls.—L. C., Bangalore, dated 26th May* 1936.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Registration Regulation, 1903, is published for general information with the statement of objects and reasons.

By Order,

C. SUBRAHMANYA AIYAR,

Secretary, Mysore Legislative Council.

Bill further to amend the Mysore Registration Regulation, 1903.

Whereas it is expedient further to amend the Mysore Registration Regulation, 1903, it is hereby enacted as follows :—

1. This Regulation may be called the Mysore Registration Amendment Regulation, 193—

2. It shall come into force on—

3. The following shall be added as Sub-Sections (3) and (4) of Section 12, the two paragraphs in the Section as it stands at present being numbered as Sub-Sections (1) and (2).

"(3) A Registrar may, by order in writing and subject to such restrictions as the Government may

impose, suspend or fine any Sub-Registrar subordinate to him. Any Sub-Registrar aggrieved by an order of the Registrar under this Section may, within 30 days of the date of the order, appeal to the Inspector-General of Registration whose orders in appeal shall be final."

"(4) Notwithstanding anything contained in this section, Government may call for and examine the records of the proceedings under Sub-Sections (2) and (3) of the Inspector-General of Registration or of any Registrar for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and if in any case it shall appear to the Government that any decision or order should be modified, annulled or reversed, Government may pass such orders as it deems fit."

Statement of Objects and Reasons.

Ex-officio Sub-Registrars are primarily Officers of the Revenue Department and questions of disciplinary control over these officers by the District Registrars and the Inspector-General of Registration for acts of commission and omission in the Registration Department have often come up before Government for decision. There is at present no provision in the Registration Regulation giving powers to the officers of the Registration Department over *Ex-officio* Sub-Registrars. The Bill is intended to supply this defect and give some measure of control to the District Registrar, and the Inspector-General of Registration.

No. 4679—*L. C., Bangalore, dated 26th May* 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to amend the Mysore Religious and Charitable Institutions Regulation, VII of 1927, is published for general information with the statement of objects and reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

Bill to amend the Mysore Religious and Charitable Institutions Regulation VII of 1927.

Whereas it is expedient to amend the Mysore Religious and Charitable Institutions Regulation VII of 1927; It is hereby enacted as follows :—

1. Add the following as a further proviso at the end of Section 25 :

> "Provided further that on the cessation of such management the Government may, while giving back the management of the property, impose such restrictions for such period as the Government may deem fit, in the interests of the Institution."

2. Insert the following as Section 40 B after 40 A of the said Regulation :—

> "No suit or other proceeding shall lie against any person for anything done or intended to be done, in good faith under this Regulation or under any rule made thereunder."

Statement of objects and reasons.

Under Section 25 of the Regulation the Government may take over possession and management of the properties of any Mathadhipathi or other Institution of similar nature in certain specified cases, *viz.*, voluntary agreement, minority of Mathadhipathi and when there is no Mathadhipathi actually appointed, etc. The latter part of the Section lays down that such possession shall cease on the termination of the agreement or when the minority terminates, or when a successor is duly appointed. It follows from this, that in cases of minority and vacancy, the management has to be handed over immediately to the successor or to the minor who has become major. There is no provision in the Regulation, enabling Government to impose any conditions which may be considered necessary in the interests of the Institution at the time of restoration. It seems desirable in the case of the Mutts presided over by young Mathadhipathies that some control should be exercised by Government, even after restoration of the properties, so as to safeguard the permanent interests of the Mutts themselves and to avoid the necessity of more drastic action later. It is therefore

desirable to amend the Regulation providing a clause therein, giving power to Government to impose suitable restrictions while giving back possession in such cases. Government therefore propose that a clause may be added to this Section.

The Regulation also contemplates several kinds of acts to be undertaken by Muzrai Officers such as management of properties of the Mutts, management of properties belonging to other Charitable Institutions, the conduct of enquiries, etc. It is usual in legislation of this kind to put in a clause giving proper protection to Government Officers in the *bonafide* discharge of their duties. Government propose therefore that a new section containing this provision be inserted after Section 40 A as Section 40 B of the said Regulation.

No. 4703—L. C., Bangalore, dated 27th May 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to make provision for the setting up of Debt Conciliation Boards in Mysore to relieve agriculturists from indebtedness is published for general information with the statement of objects and reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

A Bill to make provision for the setting up of Debt Conciliation Boards in Mysore to relieve agriculturists from indebtedness.

Preamble. Whereas it is expedient to relieve agriculturists from indebtedness by amicable settlement between them and their creditors;

It is hereby enacted as follows:—

Short title, extent and commencement. 1. (1) This Regulation may be called the Mysore Debt Conciliation Regulation 193—

(2) It extends to the whole of Mysore.

(3) It shall come into force in such areas and on such dates as the Government may, by notification in the Official Gazette, direct.

Definition.

2. In this Regulation unless there is anything repugnant in the subject or context.

(*a*) the expressions "holder," "holding," "tenant" and "village" shall have the meaning assigned to them in the Mysore Land Revenue Code, 1888;

(*b*) "agriculture" includes horticulture, the use of land for any purpose of husbandry inclusive of the keeping or breeding of live-stock, poultry or bees, sericulture and the growing of fruits, vegetables and the like;

(*c*) "Board" means a Debt Conciliation Board established under sub-section (1) of section 3;

(*d*) "creditor" means a person to whom a debt is owing and includes a co-operative society;

(*e*) "debt" includes all liabilities owing to a creditor, in cash or kind, secured or unsecured, whether payable under a decree or order of a civil court or otherwise, whether mature or not, but shall not include arrears of wages, land revenue or anything recoverable as an arrear of land revenue, rent as defined in the Mysore Land Revenue Code, 1888, or any money for the recovery of which a suit is barred by limitation;

(*f*) "debtor" means a person—

(i) who earns his livelihood mainly by agriculture or who is a holder, whether he cultivates the land personally or otherwise; and

(ii) whose debts exceed one hundred rupees.

(*g*) "prescribed" means prescribed by rules made under this Regulation;

(*h*) "secured debt" includes mortgage debt or any debt for which there is security, lien or charge on immovable property created by deed, statute or otherwise;

(*i*) "secured creditor" means a creditor who holds for his debt a security by way of mortgage, lien or charge on immovable property created by a deed, statute or otherwise.

Establishment of Debt Conciliation Boards.

3. (1) The Government may establish a Debt Conciliation Board for any district or part of a district. Such board shall consist of a Chairman and two members appointed by the Government, which may, for reasons to be recorded in writing, cancel any appointment or dissolve any Board.

(2) The Chairman and every member of a board so established shall be appointed for a term not exceeding

three years. Such Chairman or member may, on the expiration of the period for which he has been appointed, be again appointed for a further term not exceeding three years.

(3) A board shall have such quorum as may be prescribed.

(4) Where the Chairman and members of a board are unable to agree, the opinion of the majority shall prevail. Where the Board is equally divided, the Chairman shall have a casting vote.

(5) When a board is dissolved or otherwise ceases to exist, the Government may, at any time establish another board for the area for which the former board was established and may declare the board newly established to be the successor in office of the board which has ceased to exist and such board shall exercise all the powers under the Regulation.

Application for settlement between debtor and his creditors.

4. (1) A debtor may make an application for the settlement of his debts to the board established for the local area within which he ordinarily resides, or if no board has been established for that local area, to the board established for any local area in which he holds immovable property, if any, but he shall not apply to more than one board.

(2) Unless the debtor has already made an application under sub-section (1), any of his creditors may make an application to a Board to which the debtor might have applied under that sub-section.

(3) If applications for the settlement of the debts of the same debtor are made to more than one board, such applications shall, in accordance with rules made under this Regulation, be transferred to and dealt with by one board as one single application.

Verification of application.

5. Every application to a board shall be in writing and shall be signed and verified in the manner prescribed by the Code of Civil Procedure, 1911, for signing and verifying plaints.

Particulars to be stated in application.

6. (1) Every application made by a debtor to a board shall contain the following particulars, namely :—

(*a*) a statement that the debtor is unable to pay his debts;

(*b*) the place where he resides;

(*c*) the amount and particulars of all claims against him together with the names and residences of his credi-

tors and, in the case of a creditor who is a minor or a lunatic, the name of his guardian or the person in whose charge the property of such creditor is, so far as they are known to, or can, by the exercise of reasonable care and diligence, be ascertained by him ; and

(*d*) particulars of the debtor's property, both movable and immovable (including claims due to him), a specification of the value thereof and of the places where the same may be found and details of any mortgage, lien or charge subsisting thereon.

(2) Every application made by a creditor shall contain the following particulars, *viz.*,

(*a*) the place where the debtor resides ; and

(*b*) the amount and particulars of his claim against such debtor.

Rejection of application.

7. The application shall be rejected if it does not comply with any of the requirements mentioned in sections 5 and 6.

The rejection of an application under this section shall not preclude the applicant from making a fresh application.

Procedure on application.

8. (1) On receipt of an application under section 4, the board shall unless it rejects the application under section 7 pass an order fixing a date and place for hearing the application.

(2) Notice of the order under sub-section (1) shall be sent by registered post to the debtor and creditors.

(3) If the application is made by a creditor, the debtor shall, on his appearance, furnish the particulars mentioned in sub-section (1) of section 6 and notice shall be sent to all the creditors specified by him.

Dismissal of application.

9. An application under section 4 may be dismissed by the board at any stage of the proceeding.

(*a*) if, for reasons to be stated in writing the board does not consider it desirable or practicable to effect a settlement of debts ; or

(*b*) if, in the opinion of the board, the applicant fails to pursue his application with due diligence ;

Provided that, when such applicant is a creditor, the board, instead of dismissing such application, may substitute the debtor or any other creditor, who shall thereafter be deemed to be the applicant for the purposes of this Regulation ; or

(*c*) if the application includes a claim which, in the opinion of the board, is collusive and intended to defraud any creditor.

Notice calling upon creditors to submit statements of debts.

10. (1) If, after examining the debtor, it is in the opinion of the board desirable to attempt to effect a settlement between him and his creditors, a notice shall be issued and served or published in the manner prescribed, calling upon every creditor of the debtor to submit a statement of debts owed to such creditor by the debtor. Such statement shall be in writing and shall be signed and verified in the manner prescribed by the Code of Civil Procedure, 1911, for signing and verifying claims and shall be submitted to the board within two months from the date of service or publication of the notice as the case may be;

Provided that, if the board is satisfied that any creditor was, for good and sufficient cause, unable to comply with such directions, it may extend the period for the submission of his statement of the debt owed to him.

(2) Subject to the provisions of sub-section (3) every debt of which a statement is not submitted to the board in compliance with the provisions of sub-section (1) shall be deemed for all purposes and all occasions to have been duly discharged.

(3) If a creditor proves to the satisfaction of the board or a civil court that the notice was not served on him or that he had no knowledge of the publication thereof or that for some other sufficient reason, he was unable to submit the statement, the board or court may revive the debt, if the creditor files an application in that behalf within two months after he becomes aware of the proceedings taken under this section;

Provided that creditor shall not be entitled to apply under this sub-section to the board and to a civil court simultaneously or to apply to either the board or a civil court after having applied to the other.

Procedure on submission of statement of debts.

11. (1) Every creditor submitting a statement of the debts owed to him in compliance with a notice issued under sub-section (1) of section 10 shall furnish, along with such statement full particulars of all such debts and shall at the same time produce all documents, including entries in books of account on which he relies to support his claims, together with a true copy of every such document.

(2) The board shall, after marking for the purpose of identification every original document so produced and verifying the correctness of the copy, retain the copy and return the original to the creditor.

(3) If any document which is in the possession or under the control of the creditor is not produced by him as required by sub-section (1) the document shall not be admissible in evidence against the debtor in any suit brought by the creditor or by any person claiming under him for the recovery of the debt;

Provided that the board or the court shall have power to excuse for valid reasons any default or delay in producing the document and to grant reasonable time for producing the same in any proceeding pending before it.

Power of board to decide dispute as to the existence or amount of debts or assets.

12. (1) The Board shall call upon the debtor and each creditor respectively to explain his case regarding each debt.

(2) If there is a dispute as to the existence or the amount of the debt due to any creditor or the assets of any debtor the board may decide the matter after taking such evidence as may be adduced by all the parties concerned and such decision shall be binding on all parties in all proceedings before the board;

Provided that a decree of a civil court relating to a debt shall be conclusive evidence as to the existence and amount of the debt.

(3) The board shall prepare a complete schedule of the creditors and of the assets and liabilities of the debtor.

Power of board to require attendance of persons and production of documents.

13. (1) Subject to rules made under this Regulation, a board may exercise all such powers connected with the summoning and examining of parties and witnesses and with the production of documents as are conferred on a civil court by the Code of Civil Procedure, 1911.

(2) Any person present may be required by a board to furnish any information or to produce any document then and there in his possession or power.

Agreement of amicable settlement, its registration and effect.

14. (1) If the creditors to whom more than 50 per cent of the total amount of the debtor's debts is owing come to an amicable settlement with the debtor, such settlement shall forthwith be reduced to writing in the form of an agreement recording the amounts payable to such creditors and the manner in which and the times at which they are to be paid. Such agreement, if considered

equitable by the board, shall be read out and explained to the parties concerned, and shall be signed or otherwise authenticated by the board and the parties who have agreed to the amicable settlement;

Provided that, when a co-operative society is one of such creditors, no settlement, in so far as it affects the debts owing to such society, shall be valid without the previous approval in writing of the Registrar of Co-operative Societies in Mysore.

(2) An agreement made under sub-section (1) shall, within thirty days from the date of the making thereof, be registered under the Mysore Registration Regulation, 1903, by the Chairman of the Board in such manner as may be prescribed and it shall then take effect as if it were a decree of a civil court, and be executable as such.

(3) For the purpose of the registration of an agreement under sub-section (2), the Chairman of the board shall be deemed to be an officer of Government empowered to execute such agreement within the meaning of section 88 of the Mysore Registration Regulation, 1903.

(4) If, after the making of an agreement under sub-section (1), any debt is revived by the board or a civil court under sub-section (3) of section 10, the agreement and all proceedings taken in pursuance thereof shall stand cancelled; the application under section 4 shall be deemed to have been received in the office of the board on the date of such revival; and all the provisions of this Regulation shall apply in respect of the application accordingly.

Properties exempt from attachment not to be taken into account.

15. In any scheme of debt conciliation under this Regulation such properties as are exempt from attachment under the Code of Civil Procedure, 1911, shall not be taken into account and shall be left to the judgment debtor free from any liability for his debts.

Maximum amount allowable in satisfaction of a debt.

16. In any scheme of debt conciliation under this Regulation, no creditor shall be allowed a greater amount in satisfaction of both principal and interest than twice the amount of the principal and if the debt was incurred before the first day of—twice the amount due on the said date.

Power of board to dismiss application.

17. If no amicable settlement is arrived at under sub-section (1) of section 14 within 12 months from the date of the application under section 4, the board shall dismiss the application.

Recovery of sums due under agreement.

18. (1) If a debtor defaults in paying any amount due in accordance with the terms of an agreement registered under sub-section (2) of section 14, such amount shall be recoverable as an arrear of land revenue on the application of the creditor made to the Deputy Commissioner within ninety days from the date of default.

(2) Where the Deputy Commissioner fails to recover as an arrear of land revenue any part of such amount, he shall certify that it is irrecoverable and thereupon the agreement shall cease to subsist.

(3) Where an agreement ceases to subsist, any amount which was payable under such agreement but has not been paid shall be recoverable as if a decree of a civil court had then been passed for its payment.

Grant of certificate by board in respect of certain debts.

19. (1) Where, during the hearing of any application made under section 4, any creditor refuses to agree to an amicable settlement, the board shall, if it is of opinion that the debtor has made such creditor a fair offer which the creditor ought reasonably to accept, grant the debtor a certificate, in such form as may be prescribed in respect of the debts owed by him to such creditor.

The board, in coming to a decision whether the offer made is fair or not, may take into consideration—

(i) the fall or rise in the value of land and its produce, in the locality;
(ii) the amount of consideration actually received;
(iii) the reasonableness of the rates of interest;
(iv) the onerous conditions, if any, subject to which the loan was granted;
(v) whether at any time, the creditor or the debtor was offered settlement of the debt in full or part and if so what the terms were; and
(vi) any other particulars which the board thinks it desirable to take into account.

Power of court to disallow cost or interest.

(2) Where any creditor sues in a civil court for the recovery of a debt in respect of which a certificate has been granted under sub-section (1), the court shall, notwithstanding the provisions of any law for the time being in force, not allow the plaintiff any costs in such suit, or any interest on the debt after the date of such certificate in excess of simple interest at 6 per cent per annum on the principal amount due on the date of such certificate.

Decrees in suits after registration of agreement not to be executed.

(3) Where after the registration of an agreement under sub-section (2) of section 14, any unsecured creditor sues for the recovery of a debt (other than a debt incurred subsequent to such agreement) in respect of which a certificate has been granted under sub-section (1) or any creditor sues for the recovery of a debt incurred after the date of such agreement, any decree passed in such suit shall, notwithstanding anything contained in the Code of Civil Procedure, 1911, not be executed as against the assets if any, set apart in the agreement for the satisfaction of the agreed debts until all amounts recorded as payable under such agreement have been paid.

Bar of Civil Suits.

20. No civil court shall entertain—

(*a*) any suit in respect of

(i) any matter pending before a board; or

(ii) the validity of any procedure or the legality of any agreement made under this Regulation; or

(iii) the recovery of any debt recorded as wholly or partly payable under an agreement registered under sub-section (2) of section 14 from any person who, as a debtor, was party to such agreement whether such agreement is subsisting or not; or

(iv) the recovery of any debt which has been deemed to have been duly discharged under sub-section (2) of section 10 except a debt which is revived under sub-section; (3) of that section.

(*b*) any application to execute a decree the execution of which is suspended under sub-section (3) of section 19.

Avoidance of certain transfers of debtor's property.

21. Every transfer of property made, with intent to defeat or delay the creditors of the debtor, after an application has been made to a board under section 4 and until the agreement registered in respect of such application has ceased to subsist, shall be voidable at the option of any creditor so defeated or delayed.

Alienation made with sanction of board not to be considered as a fraudulent preference.

22. Any alienation of land for a fair price made with the sanction of the board in pursuance of or to carry out the agreement mentioned in section 14 shall not be considered as a fraudulent preference under the Mysore Insolvency Regulation, 1925 nor shall such alienation be voidable under section 53 of the Transfer of Property Regulation, 1918.

23. No appeal or application for revision shall lie against any order passed by a board. Bar of appeal or revision.

24. A board may, on the application from any person interested made within ninety days of the passing of an order, review any order passed by it and pass such order in reference thereto as it thinks fit. Power of board to review its order.

Provided that no order shall be varied or reversed unless notice has been given to the persons interested to appear and be heard in support of such order.

25. In any proceedings before a board, any party may appear in person or with the permission of the board by a legal practitioner or an agent authorised in writing. Appearance of party before board by agent by legal practitioner.

26. When an application has been made to a board under section 4, any suit or other proceedings then pending before a civil court in respect of any debt for the settlement of which application has been made shall be suspended until the board has dismissed the application. Suspension of pending application or suit.

27. Where in the course of an inquiry into an application made under section 4 a board finds that there is any sum owing to Government on account of loans advanced under the Land Improvement Loans Regulation 1890 or otherwise, the board shall report this fact through the Deputy Commissioner to the Revenue Commissioner in Mysore. Submission of reports by boards regarding sums due to Government.

28. (1) In calculating the period of limitation for any suit filed in, or proceedings before, a civil court for the recovery of a debt which was the subject of any proceedings under this Regulation the time during which such proceedings were pending as well as the time taken for the obtaining of certified copies of the order of the board shall be excluded. Computation of period of limitation for suits and proceedings.

(2) The period during which proceedings under this Regulation have been pending including the actual period fixed in the agreement for payment of all the debts shall, in all suits filed or proceedings taken, in civil courts to recover debts, be excluded from computation under section 48 of the Code of Civil Procedure, 1911 or under the Mysore Limitation Regulation, 1911.

29. The members of a board shall be deemed to be public servants within the meaning of the Indian Penal Code as in force in Mysore. Members of board deemed to be public servants.

30. In addition to any power specially conferred by this Regulation, the Government may make rules— Power to make rules.

(*a*) prescribing the quorum for, and regulating the procedure before a board;

(*b*) prescribing the manner in which notices shall be issued and served or published under sub-section (1) of section 10;

(*c*) prescribing the charges to be made by a board for anything done under this Regulation and the persons by whom and the manner in which such charges shall be paid;

(*d*) prescribing the records to be kept and the returns to be made by a board;

(*e*) prescribing the allowances, if any, to be paid to the Chairman and members of a board;

(*f*) regulating the power of a board to summon parties and witnesses under section 13 and the grant of expenses to witnesses;

(*g*) prescribing the place at which and the manner in which an agreement shall be registered under sub-section (2) of section 14;

(*h*) prescribing the form of certificate to be granted under sub-section (2) of section 18 or sub-section (1) of section 19; and

(*i*) generally, for the purpose of carrying into effect the provisions of this Regulation.

General provisions regarding rules.

31. (1) All rules for which provision is made in this Regulation shall be made by Government and shall be consistent with this Regulation.

(2) All rules shall be subject to the condition of previous publication.

(3) In making any rule, Government may direct that a breach thereof shall be punishable with fine which may extend to fifty rupees, and, where the breach is a continuing one, with further fine which may extend to ten rupees for every day after the first during which the breach has been persisted in.

Statement of Objects and Reasons.

The Committee appointed by the Government in 1934 to consider measures of relief to the agriculturists to tide over the economic depression, recommended, among other measures, the reduction of agricultural debts by conciliation between the debtors and the creditors. In accepting the recommendation, the Government have come to the conclusion that a scheme of debt conciliation on a voluntary basis may be introduced. For implementing this, the Government propose to introduce a Bill to make provision

for the setting up of Conciliation Boards to relieve agriculturists' indebtedness on the line of the Acts which have been passed in the Central Provinces and Madras. The main provisions of the Bill are as follows :—

This measure applies to agriculturists who earn their living mainly by agriculture and whose debts exceed Rs. 100.

It provides for the appointment of Debt Conciliation Boards consisting of a Chairman and two members appointed by the Government who shall hold office for a period of three years.

Any creditor or debtor who wants the intercession of the board may apply to it.

Notice is sent to the creditors and the debtor and the creditor are brought face to face with each other.

The board tries to persuade the parties to come to an amicable settlement. If the creditors to whom not less than 50 per cent of the debts are due and the debtor agree to a settlement, that agreement is recorded by the board and registered and it has got the same effect as a decree of a civil court.

The amounts due under the agreement if not paid, shall be recoverable by the Deputy Commissioner as an arrear of land revenue. If they are not so recovered, the amount may be recovered as if a decree of a civil court had been passed for its payment.

In case there is no settlement and the creditor is responsible for refusing to agree to an amicable settlement, the board shall, if it is of opinion that the debtor has made a fair offer, grant the debtor a certificate in respect of the debts owed by him to such creditor. If the creditor subsequently sues in a court for the recovery of a debt in respect of which a certificate has been granted, the court shall not allow the creditor costs of the suit or interest at more than 6 per cent after the date of such certificate.

Further, if after the registration of an agreement any unsecured creditor sues for the recovery of a debt, any decree passed in such a suit shall not be executed as against the assets of the debtor set apart in the agreement until all the amounts regarded as payable under such an agreement have been paid.

Even those creditors who are not inclined to agree to an amicable settlement will be induced to agree, since otherwise they will not get any relief until all those who

have agreed obtain relief. There are provisions in the Bill which act as deterrents to creditors who refuse to be accommodative and as inducements to those who are helpful.

The jurisdiction of a civil court is barred in respect of any matter pending before the board.

Any order passed by the board will be final.

No. 4689—L. C., Bangalore, dated 27th May 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to regulate the employment of women in factories sometime before and sometime after confinement and to provide for the payment of maternity benefit to them is published for general information with the statement of objects and reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

Bill to regulate the Employment of Women in Factories sometime before and sometime after Confinement and to provide for the Payment of Maternity Benefit to them.

Whereas it is expedient to regulate the employment of women in factories sometime before and sometime after confinement and to provide for the payment of maternity benefit to them in the manner hereinafter provided: It is hereby enacted as follows:—

Short title. 1. This Regulation may be called the Mysore Maternity Benefit Regulation, 193 .

Extent and operation. 2. (1) It extends to the whole of Mysore.

(2) It shall come into operation on the first day of

Definitions. 3. In this Regulation, unless there is anything repugnant in the subject or context—

(*a*) "Employer" includes an occupier of a factory as defined in the Mysore Factories Regulation, 1936, and the manager of a factory.

(*b*) The expressions "factory," "Inspector of Factories" and "Worker" shall have the same meanings as are respectively assigned to them under the Mysore Factories Regulation, 1936.

(*c*) "Maternity benefit" means the amount of money payable under the provisions of this Regulation to a woman worker in a factory.

(*d*) "Wages" includes the money value of any earned grain concession, and any money paid to cover high cost of living but does not include a bonus given for regular attendance or any deduction or payment made on account of fines."

Employment of or work by women in factories prohibited during certain period.

4. After this Regulation comes into operation;

(1) no employer shall knowingly employ a woman in any factory during the four weeks immediately following the day of her delivery; and

(2) no woman shall work in any factory during the four weeks immediately following the day of her delivery.

Right to payment of maternity benefit.

5. (1) Subject to the provisions of this Regulation every woman employed in a factory shall be entitled to the payment of maternity benefit at the rate of her average daily wage calculated to the nearest quarter of an anna on the total wages earned during a period of three months immediately preceding the date on which she gives notice under sub-section (1) of section 6 or at the rate of eight annas a day, whichever is less, for the actual days of her absence for the period immediately preceding her confinement and for the four weeks immediately following her confinement as mentioned in sub-section (2);

Provided that a woman shall not be entitled to maternity benefit unless she has been employed in the factory of the employer from whom she claims maternity benefit for a period of not less than nine months immediately preceding the date on which she gives notice under sub-section (1) of section 6.

(2) The maximum period for which any woman shall be entitled to the payment of maternity benefit shall be eight weeks, that is to say, four weeks up to and including the day of her delivery and four weeks immediately following that day. If a woman dies during this period the maternity benefit shall be payable only for the days up to and including the day of her death.

Procedure regarding payment of maternity benefit.

6. (1) Any woman employed in a factory and entitled to maternity benefit under the provisions of this Regulation who is pregnant may, on any day, give notice in writing to her employer stating that she expects to be confined within one month next following, that her maternity benefit may be paid to her, and that she will not work in any employment during the period for which she receives maternity benefit.

(2) The employer shall thereupon permit such woman to absent herself from the factory from the following day until four weeks after the day of her delivery.

(3) Maternity benefit shall be paid by the employer to the woman entitled thereto after taking her wishes into consideration in any one of the following three ways, namely :—

(i) for four weeks—within forty-eight hours of the production of a certificate signed by a registered medical practitioner certifying that the woman is expected to be confined within one month next following, and for the remainder of the total period for which she is entitled to maternity benefit under sub-section (2) of section 5—within forty-eight hours of the production of a certified extract from a birth register stating that the woman has given birth to a child; or

(ii) for the period up to and including the day of delivery within forty-eight hours of the production of a certified extract from a birth register stating that the woman has given birth to a child, and for the remainder of the total period for which she is entitled to maternity benefit under sub-section (2) of section 5 punctually four weeks after the production of such certified extract from a birth register; or

(iii) for the entire period for which the woman is entitled to maternity benefit under sub-section (2) of section 5—within forty-eight hours of the production, within six weeks of her delivery, of a certified extract from a birth register stating that she has given birth to a child;

Provided that no woman shall be entitled to any maternity benefit or any part thereof, the payment of which is dependent upon the production of a certified extract from a birth register under the provisions of this sub-section unless such extract has been produced within six months of the day of her delivery.

Payment of maternity benefit in case of a woman's death.

7. If a woman entitled to maternity benefit under this Regulation dies during the period for which she is entitled to maternity benefit the employer shall pay the amount of maternity benefit due, if the newly-born child survives her, to the person who undertakes the care of the child; and if the child does not survive her to her legal representative.

No notice of dismissal to be given to a woman during period of maternity benefit.

8. When a woman absents herself from work in accordance with the provisions of this Regulation it shall not be lawful for her employer to give her notice of dismissal during such absence or on such a day that the notice will expire during such absence.

Forfeiture of maternity benefit.

9. If a woman works in any factory after she has been permitted by her employer to absent herself under the provisions of section 6 she shall forfeit her claim to the payment of the maternity benefit to which she is entitled.

Penalty for contravention of the Regulation by an employer.

10. If any employer contravenes the provisions of this Regulation he shall, on conviction, be liable to a fine which may extend to five hundred rupees.

Penalty for contravention of the Regulation by a woman.

11. If any woman works in any factory within four weeks of the date of her delivery she shall be liable, on conviction, to a fine not exceeding ten rupees.

Cognisance of offences.

12. (1) No prosecution under this Regulation shall be instituted except by or with the previous sanction of the Inspector of Factories.

(2) No court inferior to that of a Magistrate of the First Class shall try any offence against this Regulation or any rules thereunder.

Limitation of prosecution.

13. No court shall take cognisance of any offence against this Regulation or any rule thereunder unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed.

Rules.

14. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Regulation;

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for;

(a) the preparation and maintenance of a muster roll or register or a combined muster roll and register and the particulars to be entered in such muster roll, register or combined muster roll and register or

in the register kept or deemed to have been kept under section 41 of the Mysore Factories Regulation, 1936;

(*b*) the inspection of factories for the purposes of this Regulation by Inspectors of Factories;

(*c*) the exercise of powers and the performance of duties by Inspectors of Factories for the purposes of this Regulation;

(*d*) the method of payment of maternity benefit in so far as provision has not been made in this Regulation;

(*e*) any other matter for which no provision has been made in this Regulation and for which provision is, in the opinion of the Government, necessary.

(3) Any such rule may provide that a contravention thereof shall be punishable with fine which may extend to fifty rupees.

(4) The making of rules under this section shall be subject to the condition of previous publication.

Copies of this Act and rules thereunder to be exhibited.

15. An abstract of the provisions of this Regulation and the rules thereunder in the vernacular of the workers shall be exhibited in a conspicuous manner by the employer in every part of a factory in which women are employed.

Statement of Objects and Reasons.

It is desirable to provide for some form of maternity benefit to women workers in factories in the interest of their health and well-being. There is no such statutory provision now though there are certain rules for the grant of maternity benefit to the women employed in the industrial concerns under the control of the Department of Industries and Commerce.

It is proposed in the accompanying Bill to provide for the payment of maternity benefit to women workers for a maximum period of eight weeks, four before confinement and four thereafter. Provision is also made for prohibiting employment of women in factories during that period and for preventing them from working in any factory during the said period. The bill is based on the Bombay Act VII of 1929 as amended by Act V of 1934.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 7933—Legis., dated Bangalore the 28th May 1936.

In exercise of the powers conferred on them under Sections 13 and 22 of the Mysore Road Traffic and Taxes Regulation 1935, the Government of His Highness the Maharaja are pleased to exempt from payment of all taxes and tolls due under the said Regulation, five lorries carrying Prince Azam Jah's Kit from Ootacamund to Mysore on the 29th May 1936.

No. P. 7936—Legis., Bangalore, dated 28—29th May 1936.

In exercise of the powers conferred on them by Sections 13 and 22 of the Mysore Road Traffic and Taxes Regulation, VI of 1935, the Government of His Highness the Maharaja are pleased to exempt the motor car of the Prince of Baroda from the payment of Vehicle Tax and Tolls during the Prince's stay in Mysore State.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

No. D. 7297—I. & C. 203-35-7, dated Bangalore 2nd June 1936.

The following draft rules proposed to be framed under the Mysore Factories Regulation No. I of 1936 are hereby published for general information. Persons interested are requested to send to the undersigned their objections or criticisms, if any, in regard to these rules within four months from the date of this publication.

By Order,

M. VENKATANARANAPPA,

Secretary to Government,

Development Department.

Rules under the Mysore Factories Regulation, 1936.

RULES.

DEFINITIONS.

Short title.

1. These rules and orders may be cited as the Mysore Factories (Amended) Rules, 1936. They shall supersede the Mysore Factories Rules, 1928, issued with Notification No. D. 12200—I. & C. 67-26-17, dated the 12th May 1928.

Definitions.

2. In these rules and orders unless there is anything repugnent in the subject or context:—

(1) "The Regulation" means the Mysore Factories Regulation of 1936.

(2) "Appendix" means an appendix appended to these rules.

(3) "Artificial humidification" means humidification of the air of a room by any artificial means whatsoever except the use of gas or oil for lighting purposes, or the unavoidable escape of steam or water vapour into the atmosphere directly due to the treatment of fibre or fabric by water or steam in its passage through a machine;

Provided that the introduction of air directly from outside through moistened mats or screens placed in ventilation openings at times when the temperature of the room is 80 degrees or more, shall not be deemed to be artificial humidification.

(4) "Authorised Medical Practitioner" means a registered medical practitioner authorised under sub-section (2) of section 12 to exercise any of the powers of a certifying surgeon.

(5) "Degrees (of temperature)" means degrees of the Fahrenheit scale.

(6) "Form" means a form appended to these rules.

(7) "Hygrometer" means an accurate wet and dry bulb hygrometer conforming to the prescribed conditions as regards construction and maintenance.

(8) "Kata Thermometer" means an accurate instrument capable of measuring the cooling properties of the air in millicalories per square centimetre per second of the atmosphere by radiation, convection and evaporation, manufactured by James J. Hicks or such other firm manufacturing accurate instruments of this type to the satisfaction of the Chief Inspector.

(9) "Manager" means a Manager of a factory.

(10) "Rules" means rules made under the Regulation.

(11) "Section" means a section of the Regulation.

(12) A "belthanger" is a perch or guard fixed near the side and edge of a pulley on which the belt can rest when removed from its pulley.

(13) "Transmission machinery" includes every shaft, wheel, drum or pulley (including any system of fast and loose pulleys), coupling, clutch, strap, band, belt, chain, rope or other device incidental to the transmission of motion between any primemover and any machine or appliance, or by means of which, the machine or appliance receives its motion.

(14) Words and expressions not defined in these rules but defined or used in the Regulation shall be deemed to have the same meanings as in the Regulation.

(Section 9).

3. The written notice prescribed under sub-section (1) of section 9 shall be in Form A.

Form of notice to Inspector before commencement of work.

FORM A.

Notice of Occupation.

Written notice prescribed under section 9 (1), Rule 3 of the Regulation.

(1) Name of occupier.
(2) Name of factory.
(3) Full postal address of factory.
(4) Nature and amount of power to be used.
(5) Nature of the manufacturing process to be carried on.
(6) Name of the Manager for the purposes of Factory Regulation.

Place. (Full signature of occupier)

Date. (Full signature of Manager).

NOTE 1.—In the case of seasonal factories this notice must be forwarded to the Inspector on or before the date of starting work for each season.

2.—If the occupier or Manager of a factory wishes his factory removed from the operation of the Regulation he must make application to the Inspector stating his reasons in accordance with Rule 94.

INSPECTION.

(Sections 10 and 32.)

Duties of Inspector.

4. The Inspector shall inspect every factory other than a seasonal factory within the local limits assigned to him under sub-section (1) of section 10 at least twice yearly and every seasonal factory within such local limits at least once during each season of work. He shall make such further inspections as may appear to be necessary to him or to the (authority to whom he is subordinate) (Chief Inspector of Factories) in order that he may satisfy himself that the provisions of the Regulation and of these rules are duly observed.

Maintenance of Inspection Book.

5. The Manager shall maintain a bound inspection book and shall produce it when so required by the Inspector or Certifying Surgeon. A list in Form B of the exemptions granted to the factory shall be posted in it.

FORM B.

(*Sections* 10 *and* 32 *and Rule* 5).

Name of the factory.....

Section or rule from which exemption is given	Subject dealt with	Extent of and conditions of exemptions (compensatory rest-periods, if any, should be mentioned)	Date and number of order

Duties of Inspector a inspections

6. (*a*) In addition to and without prejudice to any other powers or duties which the Inspector may exercise under the Regulation or rules, he shall at each inspection of a factory satisfy himself—

(i) that the provisions made in the Regulation and rules to secure the health and safety of the workers are observed ;

(ii) that the adolescents and children employed in the factory have been duly certified and that none are employed, who are obviously unfit ;

(iii) that the register of all the persons employed in such factory is kept in Form D as the case may be ;

(iv) that the rest periods and the holidays provided by the Regulation are granted and that the limits of hours of work laid down are not exceeded ;

(v) that the provisions relating to the payment of over-time are duly observed in the case of persons exempted from the provisions of sections 34 or 36 ;

(vi) that the abstracts and notice in Form C required by sections 39 and 55 are duly affixed and that the registers required by these rules are properly maintained.

FORM C.

Notice of periods of work for adult/child workers in..... (Name and address of factory) under sections 39 and 55, Rules 6 and 74.

—	*Group Number					
	*Relay number			*Relay number		
	Starting time	Stopping time	Intervals for rest	Starting time	Stopping time	Intervals for rest
Sunday ...						
Monday...						
Tuesday.						
Wednesda						
Thursday.						
Friday ...						
Saturday.						

* Where workers are employed on a system of groups or on relays in a shift system, the particulars as to starting and stopping time with rest intervals for each period of work of each such group or relay, as the case may be, shall be shown.

2. Registers for adults, adolescents and children are to be maintained separately.

FORM D.

Register of Adult/Adolescent/Child workers for the month of/period of.....prescribed under sections 41 and 56, Rules 6 and 101.

(Name and address of the factory)

Serial No.	Name and father's name	Nature of work	Group No.	Relay No.	No. and date of certificate	Token No. giving reference to the certificate	Remarks

NOTE :— Where workers are employed on a system of groups or on relays in a shift system, reference to the particular group or the relay, as the case may be, to which the worker is allotted shall be given in the columns provided.

(*b*) the Inspector shall further inquire into the causes of all accidents which have taken place since the last inspection;

(*c*) the Inspector shall also note how far the defects pointed out at previous inspections have been removed and how far orders previously issued have been complied with. Any defects which have come to light at the current inspection, as well as any orders passed by him under the Regulation, shall then be recorded in the inspection book. An extract from such record containing the orders of the Inspector, with such remarks on the defects found to exist as he may wish to bring to the notice of the Manager shall be sent to the Manager, and a copy of the said extract shall be sent to the District Magistrate.

The Inspector shall fill up his inspection report and the observations made by him shall be communicated to the respective managers or owners in the forms appended to these rules.

Procedure for inspection by District Magistrate or Additional Inspector.

7. When in any area an inspection is made by the District Magistrate or an Additional Inspector, he shall follow, as far as practicable, the procedure prescribed for an Inspector in rule 6 and shall send a copy of his orders and remarks to the Inspector.

Submission of diary by Inspector.

8. The Inspector shall keep a file of the records arranged in the monthly bundles and shall submit to the Chief Inspector of Factories on the 15th day of each month, a diary in Form E, showing the work done in the preceding month. A copy of the said diary shall be retained by the Inspector.

FORM E.

(*Rule 8*).

Diary of Factory Inspector for the month of.....

Date	Place	Factories inspected	Factories inspected for definite purposes	Remarks of defects found and directions and orders issued

Duty of Inspector to bring to the notice of local authorities breaches of sanitary provisions.

9. In the case of factories in places situated with a municipal area if it appears that there has been any disregard of the provisions of any Municipal or other local law relating to the sanitary arrangements, removal of

objectionable rubbish, the cleaning and fencing water tanks or like matters, the Inspector shall without prejudice to any action which he is empowered to take under the Regulation and rules draw the attention of the Municipal or other local authority to the breach of the sanitary law in question.

DUTIES OF A CERTIFYING SURGEON AND OF PERSONS AUTHORISED TO EXERCISE HIS FUNCTIONS.

(Section 59.)

Duties of Certifying Surgeons and authorised Medical Practitioners.

10. (1) The duties of a Certifying Surgeon and of an authorised medical practitioner shall include the examination of children and adolescents desirous of being employed, and the re-examination of those in respect of whom a notice under section 58 has been served upon the manager, and who desire to be re-employed. Certificates of age and fitness shall be given to such children and adolescents as are found qualified to receive them. No fee shall be charged for such examination or for the grant of a certificate in pursuance thereof.

(2) The Certifying Surgeon or authorised medical practitioner shall fix suitable places and times for the attendance of persons wishing to obtain certificates of age and physical fitness. Notice of the place and the times thus fixed shall be given to the managers.

Certificates by Certifying Surgeon

11. (1) Every Certifying Surgeon shall keep a bound book containing certificates in Form F in foil and counter-foil. The forms shall be numbered consecutively and shall be printed on cloth-backed paper.

FORM F.

(Sections 52 and 59, Rule 11.)

1. Serial No.
2. Date.
3. Name
4. Father's name } with residence.
5. Sex and caste or religion.
   Age certified.
7. Physical fitness as { child. adolescent. adult.
8. Distinctive marks.
   Reason for—(1) refusal or (2) certificate being revoked.

Thumb impression.

Initials of Certifying Surgeon.

NOTE.—Exact details of cause of physical disability should be clearly stated.
(2) The residence of the person should be noted.

CERTIFICATE.

Sl. No. Date.

I hereby certify that I have personally examined (name) son/daughter of (caste, etc.) residing at..... .....who is desirous of being employed in a factory, and that his/her age, as nearly as can be ascertained from my examination, is ..... years, and that he/she is fit for employment as a child/adolescent/adult in a factory. His/Her descriptive marks are.....

Thumb impression.

Certifying Surgeon with address.

(2) Every certificate granted under section 52 to a person desirous of being employed in a factory shall be prepared by filling up the foil and counterfoil, on which shall also be impressed the left thumb mark of the person in whose name the certificate is granted.

(3) The Certifying Surgeon shall, when satisfied as to the correctness of the entries made therein, sign the foil and initial the counterfoil, and shall deliver the foil to the person in whose name the certificate is granted. The foil so delivered shall be the certificate granted under section 52.

(4) If the Certifying Surgeon refuses to grant to any person a certificate under this rule, no fresh application for a certificate shall be made on behalf of such person until a period of three months has elapsed, unless the Certifying Surgeon otherwise gives permission in writing at the time of refusing to grant the certificate.

(5) A Certifying Surgeon revoking a certificate under sub-section (3) of section 52 shall cause the word "revoked" to be stamped in red ink on the foil and counterfoil.

Certificate by authorised Medical Practitioners.

12. Every authorised medical practitioner shall, in granting certificates in the manner prescribed in rule 11, write the word "Provisional" shall be printed or stamped in red ink at the top of each foil and counterfoil of such certificate.

Duplicate certificates.

13. (1) When a person, to whom a certificate under rule 11 has been granted, loses such certificate, he may apply to the Certifying Surgeon, who after making such inquiry as he deems fit from such person's employer or employment from such person's last employer and from such other sources, may grant a duplicate thereof. The word "Duplicate" shall be clearly written in red ink across the certificate and initialled by the Certifying Surgeon.

The counterfoil and the bound book of forms shall be similarly marked "Duplicate" and initialled.

(2) For every copy of a certificate granted under sub-rule (1), a fee of eight annas shall be charged, which shall be credited to Government. The Certifying Surgeon shall maintain a register in Form G. of all fees paid for the issue of copies of certificates, and shall initial each entry made therein.

FORM G.

(*Section 52, Rule 13*).

Register of fee paid for the issue of duplicate certificates under section 52, sub-section (1), Rule 13 (2).

Date	Sl. No.	No. of previous certificate	Name of person to whom granted	Initial of Certifying Surgeon

Paid into Treasury Rs. only.

Place,

Date.

Signature of Certifying Surgeon.

(3) No duplicate of a certificate granted under section 52 shall be granted to any person otherwise than in accordance with the provisions of this rule.

Certifying Surgeon to visit factories.

14. (1) The Certifying Surgeon shall ordinarily visit every factory situate within his local limits in which children or adolescents are known to be employed once in three months and shall give previous notice of visits. When a Certifying surgeon visits a factory manager shall produce before him at such time Certifying Surgeon may fix all children and adolescents employed in the factory, whether actually at work who are not in possession of certificates granted under section 52.

(2) The Certifying Surgeon shall personally examine every child or adolescent who is in possession of a provisional certificate granted under rule 12, and if satisfied that a certificate should be granted, destroy the provisional certificate and issue his own certificate in lieu thereof.

(3) If on such examination, the Certifying Surgeon is of opinion that the person in possession of a "Provisional" certificate, granted under Rule 12, is under the age of 12 years or is not fit for employment in a factory, he shall impound the certificate, write on it the word "Cancelled" and sign the same, and shall forward the

certificate with such remarks, if any, as he may offer to the Inspector for information, and inform the authorised medical practitioner who issued it.

Revocation of certificates.

15. The Certifying Surgeon, at his periodical visits, shall satisfy himself as to the fitness of the children and adolescents employed in a factory and shall revoke the certificate of any whom he deems no longer fit to work in the capacity stated therein.

Results of visits of Certifying Surgeon to be noted.

16. The Certifying Surgeon shall enter in the inspection book a note detailing the results of each visit to the factory. A copy of this note shall be forwarded to the Inspector and to the authority to whom the Certifying Surgeon is subordinate for the purposes of this Regulation.

MANNER OF SERVICE OF NOTICE.

(Sections 32, 47 and 59).

17. The despatch through the post under registered cover of any notice, order or extract of an Inspector's report sent under the Regulation or under these Rules, shall be deemed sufficient service on the occupier or manager of the factory of such notice or order or of any directions contained in such extract.

ARTIFICIAL HUMIDIFICATION AND COOLING.

(Sections 15 and 32).

When artificial humidification not allowed.

18. There shall be no artificial humidification in any room of a cotton spinning or weaving factory.

(*a*) by the use of steam during any period when the dry bulb temperature of that room exceeds 85 degrees.

(*b*) at any time when the wet bulb reading of the hygrometer is higher than that specified in the following schedule in relation to the dry bulb reading of the hygrometer at that time; or, as regards a dry bulb reading intermediate between any two dry bulb readings indicated consecutively in the schedule when the dry bulb reading

does not exceed the wet bulb reading to the extent indicated in relation to the lower of those two dry bulb readings :—

SCHEDULE.

Bulb.

Dry bulb	Wet	Dry	Wet	Dry	Wet
60·0	58·0	77·0	75·0	94·0	86·5
61·0	59·0	78·0	76·0	95·0	87·0
62·0	60·0	79·0	77·0	96·0	87·5
63·0	61·0	80·0	78·0	97·0	88·0
64·0	62·0	81·0	79·0	98·0	88·5
65·0	63·0	82·0	80·0	99·0	89·0
66·0	64·0	83·0	80·5	100·0	89·5
67·0	65·0	84·0	81·0	101·0	90·0
68·0	66·0	85·0	82·0	102·0	90·0
69·0	67·0	86·0	82·5	103·0	90·5
70·0	68·0	87·0	83·0	104·0	90·5
71·0	69·0	88·0	83·5	105·0	91·0
72·0	70·0	89·0	84·0	106·0	91·0
73·0	71·0	90·0	84·5	107·0	91·5
74·0	72·0	91·0	85·0	108·0	91·5
75·0	73·0	92·0	85·5	109·0	92·0
76·0	74·0	93·0	86·0	110·0	92·0

Provided however that this clause shall not apply—

(i) when the difference between the wet bulb temperature as indicated by the hygrometer in the department concerned, and the wet bulb temperature taken with a hygrometer outside in the shade is less than 3·5 degrees ; or

(ii) when the "cooling properties" of the air in the department concerned at a height of five feet from the floor in all usual working places is greater than 11 as measured by "wet" readings of a kata thermometer.

Provision of hygrometers.

19. In all departments of cotton, spinning and weaving mills wherein artificial humidification is adopted, hygrometers shall be provided and maintained in such positions as are approved by the Inspector. The number of hygrometers shall be regulated according to the following scale :—

(*a*) One hygrometer for departments with less than 500 looms, and one additional hygrometer for every 500 or part of 500 looms in excess of 500. Weaving Department

(*b*) One hygrometer for each room of less than 300,000 cubic feet capacity, and one extra hygrometer for each 200,000 cubic feet, or part thereof, in excess of this. Other Departments

(*c*) One additional hygrometer shall be provided and maintained outside each cotton, spinning and weaving factory wherein artificial humidification is adopted, and in a position approved by the Inspector, for taking hygrometer shade readings.

20. When the Inspector is satisfied that the limits of humidity allowed by the schedule to rule 18 are never exceeded, he may, for any department other than the Weaving Department grant exemption from the maintenance of the hygrometer. The Inspector shall recor such exemption in Form B. Exemption from maintenance of hygrometers.

21. A legible copy of the Schedule to rule 18 shall be affixed near each hygrometer. Copy of Schedule to rule 18 to be affixed near every hygrometer.

22. At each hygrometer maintained in accordance with rule 19, correct wet and dry bulb temperatures shall be recorded thrice daily during each working day by competent persons nominated by the manager and approved by the Inspector. The temperatures shall be taken between 7 A.M. and 9 A.M. between 11 A.M. and 2 P.M. (but not in the rest interval), and between 4 P.M. and 5-30 P.M. In exceptional circumstances such additional readings and between such hours, as the Inspector may specify, shall be taken. The temperatures shall be entered in a humidity register in Form H maintained in the factory. At the end of each month the persons who have taken the readings shall sign the register and certify the correctness of the entries. The register shall always be available for inspection by the Inspector. Temperatures to be recorded at each hygrometer.

FORM H.

(*Sections 15 to 32, Rule 22*).

Humidity Register.

Department.—Distinctive mark or number

Hygrometer.—Position in department.

Date—Year, Month, Day	Readings of Hygrometer							Remarks
	Between						If no humidity insert none	
	7 A.M. and 9 A.M.		11 A.M. and 2 P.M. (but not in the rest period)		4 P.M. and 5-30 P.M.			
	Bulb		Bulb		Bulb			
	Dry	Wet	Dry	Wet	Dr	Wet		
1st								
2nd								
3rd								
.....								
.....								
.....								
20th								
31st								

At the beginning of the month the Sundays, whole holidays and in the shorter month the 31st or other excess days should be erased.

(*Signed*).

Certified that the above entries are correct.

Date. (*Signed*).

Specification of Hygrometers.

23. (*a*) Each hygrometer shall comprise two mercurial thermometers respectively wet blub and dry bulb of similar construction, and equal in dimensions, scale and divisions of scale. They shall be mounted on a frame with a suitable reservoir containing water.

(*b*) The wet bulb shall be closely covered with a single layer of muslin, kept wet by means of a wick attached to it and dipping into the water in the reservoir. The muslin covering and the wick shall be suitable for the purpose, clean and free from size or grease.

(*c*) No part of the wet bulb shall be within 3 inches from the dry bulb or less than 1 inch from the surface of the water in the reservoir and the water reservoir shall be below it, on the side of it away from the dry bulb.

(*d*) The bulbs shall be spherical and of suitable dimensions and shall be freely exposed on all sides to the air of the room.

(*e*) The bores of the stems shall be such that the position of the top of the mercury column shall be readily distinguishable at a distance of 2 feet.

(*f*) Each thermometer shall be graduated so that accurate readings may be taken between 50 and 120 degrees.

(*g*) Every degree from 50 degrees up to 120 degrees shall be clearly marked by horizontal lines on the stem; each fifth and tenth degree shall be marked by longer marks than the intermediate degrees, and the temperature marked opposite each tenth degree, *i.e.*, 50, 60, 70, 80, 90, 100, 110 and 120.

(*h*) The markings as above shall be accurate, that is to say, at no temperature between 50 and 120 degrees shall be indicated reading be in error by more than two-tenths of a degree.

(*i*) A distinctive number shall be indelibly marked upon the thermometer.

(*j*) The accuracy of each thermometer shall be certified by the National Physical Laboratory, London, or some competent authority appointed by the Chief Inspector and such certificate shall be attached to the Humidity Register.

Thermometers to be maintained in efficient order.

24. Each thermometer shall be maintained at all times during the period of employment in efficient working order, so as to give accurate indication and in particular—

(*a*) The wick and the muslin covering of the wet bulb shall be renewed once a week.

(*b*) The reservoir shall be filled with water which shall be completely renewed once a day. The Chief Inspector may prescribe the use of the distilled water or pure rain water in any particular mill or mills in certain localities.

(*c*) No water shall be applied directly to the wick or covering during the period of employment.

An inaccurate thermometer not to be used without fresh certificate.

25. If an Inspector gives notice in writing that a thermometer is not accurate, it shall not, after one month from the date of such notice, be deemed to be accurate, unless and until it has been re-examined as prescribed and a fresh certificate obtained which certificate shall be kept attached to the Humidity Register.

Hygrometer not to be affixed to wall, etc., unless protected by wood.

26. No hygrometer shall be affixed to a wall, pillar or other surface unless protected therefrom by wood or other nonconducting material at least half an inch in thickness and distant at least one inch from the bulb of each thermometer.

No reading to be taken within 15 minutes of renewal of water.

27. No reading shall be taken for record on any hygrometer within 15 minutes of the renewal of water in the reservoir.

How to introduce steam for humidification.

28. In any room in which steam pipes are used for the introduction of steam for the purpose of artificial humidification of the air the following provision shall apply—

(*a*) The diameter of such pipes shall not exceed 2 inches and in the case of pipes installed after 1st day of August 1936 the diameter shall not exceed one inch;

(*b*) Such pipes shall be as short as is reasonably practicable;

(*c*) All hangers supporting such pipes shall be separated from the bare pipes, by an efficient insulator not less than half an inch in thickness;

(*d*) No uncovered jet from such a pipe shall a project more than $4\frac{1}{2}$ inches beyond the outer surface of any covering;

(*e*) The steam pressure shall be as low as practicable and shall not exceed 70 lbs. per square inch.

Kata thermometers.

29. The cooling properties of the air shall be determined by using "Kata thermometers". Tests shall be determined as laid down in the printed instructions issued with each instrument, or with those given in Appendix.

APPENDIX.

Directions for the use of Kata Thermometers.

Object.

1. Measurement of cooling properties of the air exerted on its surface, at approximately body temperature, (36·5° C) in millicalories (1/1000) gramme calories per sq. cm. per sec. The wet kata gives the cooling properties by radiation, convection and evaporation.

To take 'wet' readings.

2. Heat the bulb WITH ITS SILK NET FINGER STALL ON in warm water (a thermos flask is convenient)

till the spirit rises into the top bulb, and the column is free from bubbles. Never leave the instrument in hot water, for it will burst if the spirit fills the top bulb. Remove excess of water from the bottom of the bulb either by a cloth or by a gentle flick of the thermometer and hold the instrument by the stem well away from the body at about 5 feet from the floor. Take the time in seconds taken by the spirit column in falling from 100° to 95° F. A stop watch is most convenient. Take three to five readings and the average of these. Always neglect the first reading of all.

The factor.

3. The factor of each instrument is inscribed on the stem prefixed by F. Divide the factor by the average time of cooling in seconds. The result gives the cooling properties in millicalories per sq. cm. per sec.

Tests to be recorded as required.

30. Tests shall be carried out and recorded at such times and for such period as the Chief Inspector may by written order require.

SANITARY CONDITIONS.

Cleanliness.

(*Sections* 13 *and* 32.)

31. (1) In every factory, all the inside walls of the rooms and all the ceilings or tops of such rooms (whether such walls, ceilings or tops be plastered or not), and all the passages and staircases shall be limewashed at least once in each year, dating from the period when last lime washed. All the beams, rafters, doors, window frames and other wood work with the exception of floors shall be either limewashed or colorwashed at least once a year dating from the period when last limewashed or colourwashed or shall be painted or varnished once in seven years, dating from the period when last painted or varnished and shall be kept in a cleanly state.

The dates on which limewashing, colourwashing, painting, or varnishing is carried out shall be duly entered in Form I, which shall be shown to the Inspector when required.

FORM I.

Rule 31.

Limewashing, etc.

Part of factory, *e.g.*, Name of Room	Parts limewashed, painted or varnished, *e.g.*, walls, ceilings, etc.	Treatment (whether limewashed, painted or varnished)	Date on which limewashing, painting or varnishing was carried out			Signature of occupier or manager	Remarks
			Day	Month	Year		

Signature of Occupier..... Signature of Manager.....

Provided that the provisions of these sub-rules shall not apply to—

(i) room used only for the storage of articles;

(ii) walls or tops of rooms which are made of galvanised iron, tiles, asbestos sheets, or similar materials or glazed bricks;

(iii) rooms in which a manufacturing process is carried on in any gas works, forage presses, chemical works and cement factories;

(iv) Engineering works or foundries in which 2,000 c.ft., of air space is provided for each person employed;

(v) walls in oil mills below a height of 5 feet from the ground;

(vi) walls of Railway Running sheds;

(vii) works in which soap manufacture is carried on;

(viii) rooms is Sugar factories in which sugar is stored or is in manufacturing process;

(ix) rooms in tanneries in which salting, tanning, and dressing of hides and skins are carried on;

(x) any other factory or parts thereof in which limewashing or painting is in the opinion of the Government unnecessary to satisfy the requirements of Section 13 as to cleanliness.

Rubbish not to be allowed to accumulate.

32. (1) No rubbish, filth, or debris shall be allowed to accumulate or to remain on any premises in a factory in such position that effluvia therefrom can arise within the factory.

(2) All ducts used for the introduction of humidified air shall be kept clean whether they are actually in use for that purpose or not.

Compound to be kept clean.

33. The compound surrounding every factory shall be maintained in a sanitary and clean condition.

Floors of certain factories to be drained.

34. In factories or portions of factories constructed or reconstructed after the 1st day of August 1936, the floors of department, in which processes are carried on which render the floors wet, shall be effectively darined. In other factories such steps shall be taken to minimise the danger to health or safety as the Inspector may require by an order in writing.

Drains, etc., to be constructed in masonry, etc.

35. All drains carrying waste or sullage water shall be constructed in masonry or other impermeable material and shall be regularly flushed and, where possible, connected with some recognised drainage line.

Enforcement to prevent pollution by excreta in latrines and urinals.

36. The Manager of every factory shall enforce the proper use of latrine and urinal and prevent pollution by excreta of the surface of the ground in the vicinity of the latrine and urinal and in the compound of the factory.

Areas around washing places, etc., to be drained and kept clean.

37. Proper arrangements shall be made for maintaining in a clean and drained condition the areas around washing and bathing places.

38. Proper arrangements shall be made for maintaining the area round the places where drinking water is distributed to the workers in a clean and drained condition.

PREVENTION OF OVERCROWDING.

(*Sections* 17 *and* 32.)

Particulars of rooms to be entered.

39. (1) There shall be provided for each person employed at one time in any room of a factory 36 square feet of floor space and

(i) where mechanical or electrical power is not used a breathing space of at least 500 cubic feet and

(ii) where mechanical or electrical power is used, a breathing space of at least 700 cubic feet.

(2) Particulars of each room of the factory in which persons are regularly employed shall be entered in

Form J which shall be shown to the Inspector when required.

FORM J.

Rule 39.

Particulars of rooms in the Factory.

Name of room in Factory	Dimensions of room in feet			Total floor area in sq. feet	Floor area occupied by machinery in the room	Breathing space (cubical contents in c.ft.	Maximum No. of persons who may be employed in the room	Remarks
	Length	Breadth	Height					

Signature of Occupier.

Signature of Manager.

LIGHTING.

(*Sections* 14, 18 *and* 32.)

Artificial lighting.

40. Artificial lighting in accordance with the following standards shall be provided and used in the interior of cotton ginning factories at times when artificial lighting is necessary and is ordinarily used—

(i) by means of electricity, to the satisfaction of the Inspector, one lamp for six gins, each lamp of not less than 25 candle power ; or

(ii) by candles placed in glass lanterns of a pattern approved by the Inspector, not less than one such lantern for every two gins.

Factories to be sufficiently lighted.

41. As long as any workers are present in a factory the latrine, passages, stairs, hoists, factory grounds and other parts of the factory, in so far as the entrance of the said places is not closed, shall be lighted in such manner that safety is fully secured in passing through or remaining in the same.

Artificial lighting.

42. Save in cases where the Inspector by written order otherwise permits at any time artificial lighting shall not be provided otherwise than by means of electri-

city, in any factory of the classes specified below or parts of such factories:—

(i) The interior of any cotton ginning factory, provided that candles placed in glass lanterns of a pattern approved by the Inspector may be used;

(ii) Any part of a factory in which any of the processes connected with the manufacture and packing of any matches or fire works is carried on;

(iii) All interior parts of cotton spinning and weaving factories, other than engine and boiler rooms, rope alleys mechanic shops, calendering, finishing, dyeing and sizing departments.

43. (1) In every room in a jute mill, where opening of bales, batching machine, hackling, carding, preparing or any other process is carried on in which dust is generated to an extent likely to cause injury to the health of the workers, efficient exhaust and inlet ventilators shall be provided to secure that the dust is drawn away from the workers at or as near as is reasonably possible to the point at which it is generated.

(2) In every room in a cotton mill where slasher sizing is carried on such arrangement as is considered efficient by the Inspector of Factories appointed for this purpose, for the removal of the steam given off in the process of drying the yarn shall be made.

(3) In every room of a factory ventilating openings shall be provided in the proportion of five square feet for each person employed in such room and the opening shall be such as to admit of a continued supply of fresh air, provided that, subject to the control of Government the Inspector may for reasons to be recorded in writing, relax the conditions of this rule wherein his opinion this may be done with due regard to the health of the persons employed in any room.

WATER.

(Sections 19 and 32).

(1) For drinking purposes.

44. Drinking water shall, in all cases, be supplied to the workers free of cost. Supply of drinking water.

Sources of supply.

45. Wherever practicable, drinking water shall be supplied—

(*a*) from taps connected with any public water-supply from which a sufficient supply of water can at all times be drawn as required, or

(*b*) from a well or wells so situated as not to be polluted or contaminated with organic matter or impurities.

Provision of storage of water in certain cases.

46. If it is not practicable in any factory to supply water in accordance with the methods prescribed in rule 45 or if the public water-supply is intermittent, then there shall be provided a storage of water, fit for drinking, supplying at least as many gallons per day as there are persons employed in the factory.

(2) For washing purposes.

Washing accommodation.

47. In every factory in which any process involving contact by the workers with injurious of obnoxious substances is carried on, a sufficient supply of water suitable for washing shall be provided. For every fifteen workers so employed, at least one impervious wash basin fitted with a waste-pipe shall be provided together with a free supply of nail brushes and soap;

Provided that if in any factory, sufficient bathing accommodation has been already provided, the Inspector may vary the above standard to such extent as he may think fit.

PROVISION OF SANITARY ACCOMMODATION.

(*Sections* 20 *and* 32.)

Provision of latrines and urinals.

48. (1) Every factory shall be provided with latrine accommodation on the scale given below:—

	Seats.
Where the number of workers does not exceed 20.	1
Where the number of workers exceeds 20 but does not exceed 35	2
Where the number of workers exceeds 35 but does not exceed 50	3
Where the number of workers exceeds 50 but does not exceed 150	4
Where the number of workers exceeds 150 but does not exceed 200	5
Where the number of workers exceeds 200.	1 seat for every 40 or fraction of 40.

Such latrines shall be roofed and sufficiently ventilated and lighted. The surface of floors and inside walls shall be made of non-absorbent impermeable material to a height of 3 feet from the floor, within six months from the date of the coming into force of these rules.

Except with the written permission of the Inspector, such latrine accommodation shall be in a place detached from the other factory buildings;

Provided that in a seasonal factory situated in a place detached from other buildings, latrines may be constructed of the pit or bore hole type on such a scale as the Inspector may require in writing. The site of such latrines shall be as distant as practicable from any buildings or water supply and in any case not within 50 feet of a source of drinking water supply.

(2) In factories which employ more than 50 workers and which do not provide flushing arrangements in the latrines, one urinal shall be provided for every 100 workers or fraction of 100.

(3) If females are employed, separate latrines and urinals screened from those of males and marked in the vernacular in conspicuous letters "for women only" shall be provided. Those for males shall be similarly marked "for men only."

(4) The number of latrines required shall be calculated independently for males and females.

Latrines and urinals to be limewashed, etc.

49. The walls of latrines and urinals shall be limewashed or colourwashed, both inside and outside, not later than six months from the date of the last limewashing or colourwashing;

Provided that in non-seasonal factories working by shifts more than ten hours a day, limewashing or colourwashing shall be carried out not later than four months from the date of the last limewashing or colourwashing. The dates of limewashing or colourwashing shall be noted in Form I.

Provided also that this rule shall not apply to latrines made of corrugated iron, or to tiled latrines, or to any class of latrines exempted by an order in writing by the Inspector in Form B.

Latrines and urinals to be kept sanitary.

50. All latrines and urinals shall be kept in a sanitary state.

(Corresponds to old Rule 29). Exemption where permissible.

51. If in the opinion of the Chief Inspector of Factories, in the case of a factory situated in a place detached from other buildings and from which access to the open country or at least two sides of it is obtainable, such latrine accommodation is unnecessary to insure the health of the operatives. Government may exempt such factory from the provisions of the above rules by an order in writing in Form K. But in such cases the factory shall provide for the employees simple earth trenches which should be moved every three days.

FORM K.

(*Rule 51*).

Section of Rule from which exemption is given	Subject dealt with	Extent of and reason for exemption	Date and Number of order

PRECAUTION AGAINST FIRE AND PROVISION OF MEANS OF ESCAPE IN CASE OF FIRE.

(*Sections* 21, 22, 23, *and* 32 *and also Rule* 42).

Buildings of more than one storey to be provided with two stairs.

52. Every building of more than one storey shall be provided with at least two sets of stairs or steps permanently fixed either inside or outside the building, so as to afford direct and unimpeded access from every part of the factory to the ground level. Such stairs shall be provided with a suitable and sufficient hand-rail or other convenient support. In factories employing less than forty persons, the Inspector may accept in lieu of a second set of stairs or steps, such other means of escape in case of fire as can reasonably be required in the circumstances of each case.

53. Every window or door giving access to an external staircase shall be so arranged as to open immediately from the inside. Exits to external stairs to open from inside,

54. Notwithstanding anything contained in Rule 52, ginning factories shall be provided with at least two suitable earthen ramps or two flights of stairs made of brickwork or other fire-resisting material. Ginning factories to be provided with two earthen ramps, etc.

FENCING.

(*Sections* 24 *and* 32.)

55. The following parts of transmission machinery shall be securely fenced if in motion and likely to cause danger :— Certain parts of transmission machinery to be fenced.

(i) All shafts, couplings, collars, toothed wheels, pulleys, driving straps, chains and ropes, except such as are in the opinion of the Inspector, by reason of construction or position, equally safe to every person employed as they would be, if securely fenced or guarded.

(ii) All projecting set screws, keys, nuts or bolts on revolving parts, except such as are countersunk or otherwise made equally safe.

(iii) The underside of all heavy overhead main driving belts or ropes, if there is any probability of persons having to pass under them.

56. (i) Cotton openers, combined openers and scutchers and lap-machines, hard waste breakers and similar machines and spinning mules shall be driven from countershafts provided with fast and loose pulleys and efficient belt shifters. Other precautions to be taken with certain parts.

(ii) In all openers, combined openers and scutchers, scutchers, scutcher-lap machines, hard waste breakers and similar machines, the cover of the beaters and doors which give access to any dangerous parts of the machines shall be secured by a self-locking apparatus maintained in efficient order in such manner as to make it impossible to open such cover or door when the machine is working. A similar device shall be applied to the doors or casings over the jack box motion and adjacent parts of all slubbing, intermediate and roving frames set up after the 1st day of April 1936.

(iii) In all openers, combined openers and scutchers, scutchers, scutcher-lap machines, hard waste breakers and similar machines, the openings giving access to the dust

chamber shall be provided with permanently fixed fencing which shall, while admitting light, yet prevent contact between any portion of worker's body and the beater gird bars.

(iv) In all combined openers and scutchers, scutchers, scutcher-lap, sliver-lap and lap machines and similar machines, an efficient guard shall be fitted over the lap and maintained in such order that no person may handle the lap when the weight friction rack is exerting pressure on the lap spindle.

Parts of carding machines to be fenced.

57. (*a*) In every carding machine :—

(i) all feed roller wheels and doffer wheels, side shaft wheels, calender wheels, and coiler wheels shall be efficiently fenced ;

(ii) licker-in-covers shall be screwed down so that they cannot be readily lifted, while the machine is in motion.

(*b*) In every carding machine, other than roller and clearer waste cards or cards of a similar type erected after the 1st of April 1936, the cylinder stripping door shall be secured by an automatic locking apparatus maintained in efficient order in such manner as to make it impossible to open such door until the cylinder is at rest.

(*c*) In every roller and clearer waste carding machine, the wooden cover over the rollers and clearers shall be secured in such manner that it cannot be readily opened.

Certain parts to be guarded.

58. Every ring-throstle-frame, flyer-throstle-frame and doubling frame, the tin rollers of which revolve in the usual directions, that is, in such manner as to draw upwards between them any object coming into contact with them from beneath, shall be guarded in the following manner :—

(i) A guard or guards shall be permanently fixed along the whole length of each side of every such frame and not further under the frame than the outer edge of the spindle rail.

(ii) These guards shall consist of strong horizontal iron bars not less than one and a quarter inche in width and one-quarter of an inch in thickness secured to suitable uprights spaced not more than four feet apart ; the bars should be so placed that the vertical space between the topmost bar and the bottom of the spindle rail and between the lowest bar and the floor and between

any bar and the next bar shall be not more than six inches. If any line of bars consists of more than one piece, the pieces forming the line shall overlap each other by at least two and a half inches and shall be effectively secured.

(iii) whenever under the tail end of any such frame, there is a clear space exceeding 8 inches from the floor, a like guard shall similarly be fixed midway across such end.

(iv) Every frame shall be fenced in the above manner before being brought into use, unless secure fencing is adequately maintained by wooden guards, constructed of suitable dimensions from strong sound smooth wood, such as teak, permanently and suitably fixed.

Calendering machines, etc., to be provided.

59. In respect of calendering machines, mangles, and similar machines, all such machines shall be provided with an efficient "nip" guard along the whole length on the intake side of each pair of bowls and similar parts, which shall be so fitted and maintained, whilst the rollers or bowls are in motion, as to prevent access of any person's fingers to the point of contact of the rollers or bowls.

Belts, etc., to be regularly examined.

60. (i) All belts shall be regularly examined to ensure that the joints are safe and the belts at proper tension.

(ii) All hoist ropes and chains shall be regularly examined by a competent person nominated by the Manager to ensure that they are in safe condition. The Manager shall maintain a record of such examinations with dates and remarks under his signature in the inspection book maintained in accordance with Rule 5.

Emery and abrasive wheels to be provided with an iron coverguard.

61. Except with the written permission of the Inspector, every emery or abrasive wheel shall be provided with a strong iron cover guard that shall enclose the wheel, as far as practicable. The guard shall be securely attached to the frame of the machine or other solid foundation.

ADDITIONAL FENCING IN GINNING AND PRESSING FACTORIES.

Additional provision for cotton and ginning factories.

62. The following special additional provisions shall apply to cotton ginning factories, to the extent therein indicated :—

(*a*) the line shaft or second motion in cotton ginning factories, when below floor level, shall be

completely enclosed by a continuous wall or unclimbable fencing with only so many openings as are necessary for access to the shaft for removing cotton seed, cleaning and oiling; and such openings shall be provided with gates or doors which shall be kept closed and locked.

(*b*) The toothed rollers of the opener shall be guarded by securely fixing across the machine a strong wooden plank or metal guard so fixed that in no circumstances can a person's hand get into the rollers.

(*c*) The spur gearing at the side of the opener shall be completely covered by a strong metal guard.

(*d*) The crank shaft pulleys and roller-pulleys of all gins shall be securely fenced by strong box guards and hinged top covers.

(*e*) All ginning machines and openers shall be provided with fast and loose pulleys and efficient belt shifters.

(*f*) The intake side of the roller cog wheels on all double roller ginning machines shall be fenced by a strong metal guard. The oscillating mechanism on all these machines shall also be fenced by a strong metal cover.

(*g*) Any opening on the underside of saws on saw gins or similar gins shall be securely fenced by securely bolting an expanded metal or similar cover in such a manner that no person's hand can come in contact with the saws, when the saws are in motion.

(*h*) In putties or kappas and cotton openers, the beater at the feed end shall be securely fenced by permanently fixing strong sound wooden planks or metal plates across the feed opening and to the sides of the machine, in such a manner that in no circumstances can any portion of a person's body come in contact with the beater whilst it is in motion.

Additional fencing in factories wherein decorticating is carried out.

63. In any decorticator :—

(*a*) The feed opening shall he securely fenced by permanently fixing iron bars not less than 5/8" in diameter, spaced not more than two inches apart from centre, across such opening.

(*b*) The axil openings at the sides of the machine shall be securely fenced by permanently fixing expanded metal covers over such openings, in such manner that in no circumstances can a person's hand come in contact with the "pankha."

PROTECTION OF WORKERS ATTENDING TO MACHINERY.

64. As far as possible all important pulleys shall be provided with belt hangers : Important pulleys to be provided with belt hangers.

Provided that when the main belts of any machinery have to be adjusted, the machinery shall be stopped and shall not be set in motion again, until such belts have been completely adjusted.

65. Replacing or adjusting of fast running belts shall be done only by an experienced and specially trained worker. Fast running belts to be replaced, etc., only by experienced and trained worker.

66. All ladders used in replacing belts shall be specially made and reserved for that work and provided with hooks or an effective non-skid device. Ladders provided with hooks must have hooks fitted in such suitable positions that they rest on the shaft when the bottom end of the ladder is resting on the floor. Ladders.

67. (1) Every worker, who goes up to replace a belt or to oil bearings of a shaft, shall wear a tight loin cloth or tight trousers, and shall not wear any loose clothing which is liable to be caught in the machinery. The tight loin cloth or tight trousers shall be provided by the occupier, free of cost. Certain workers to be supplied with certain clothing free of charge.

(2) The provisions of sub-rule (1) shall apply :—

(*a*) to every worker, who goes down to replace a belt or to oil bearings of a shaft in a cotton ginning factory, and

(*b*) to all oilers and to attendants of prime movers, and to any person who is allowed to work in the shaft alley of a cotton ginning factory when the machinery is in motion.

(3) A dhotie wrapped round the body in any manner shall not be deemed to be a loin cloth within the meaning of sub-rule (1).

68. All kiers, digesters or steam jacketed pans or other vessels worked under pressure shall be fitted with safety valves and pressure gauges. Certain plant to be fitted with safety valves, etc.

69. All sizing cylinders, pits, tanks, gutters, or excavations of more than eighteen inches in depth and all open tanks or open vessels containing either chemicals or Certain places to be securely fenced.

hot substances dangerous to human life or safety shall be sucurely fenced, except when they are, in the opinion of the Inspector, by reason of construction or position equally safe to every worker as they would be if securely fenced.

70. Safe and convenient access shall be provided to all bearings.

71. All water gauge glasses of boilers of which the maximum pressure exceeds 100 lbs. per square inch shall be securely guarded.

72. No additional weight shall be placed on the safety valve of any boiler except under the written authority of the Boiler Inspector.

ELECTRICAL FITTINGS.

73. (1) All electrical conductors shall either be covered with adequate insulating material and further protected in a manner approved by the Inspector to prevent danger or shall be so placed and guarded as to prevent danger.

(2) All electrical apparatus, machines and fittings shall be :—

(*a*) so placed or protected in a manner approved by the Inspector as to prevent danger ;

(*b*) provided with efficient handles or other means of working, insulated from the electrical system and so arranged that the hand cannot inadvertently touch live metal.

(3) Only specially trained and experienced persons shall be allowed to operate, adjust or repair any electrical apparatus.

(4) Instructions both in English and Kanarese for the restoration of persons suffering from electric shock shall be affixed in a conspicuous place in every factory using electrical energy for lighting or power purposes.

PREVENTION OF ACCIDENTS.

74. Notices in form "L" both in English and Kanarese for the prevention of accidents in factories shall be affixed in conspicuous places in every room of the factory in which machinery is in use.

FORM L.

DANGER.

It is dangerous whilst machinery is in motion :—

(1) To clean and adjust dangerous parts of the Machinery ;

(2) To remove, interfere with and disregard any guard or fence ;

(3) To replace heavy belts, and ;

(4) to wear loose clothing whilst attending to machinery or belts.

PROHIBITION OR ADMISSION OF CHILDREN.

Section 28.

75. In any factory of the classes specified below, the admission of children between the ages of two and twelve is prohibited, to such factories as is specified :— Admission of certain children prohibited.

(*a*) Cotton ginning factories, to any part of such factories or premises wherein any machinery, is at work;

(*b*) Match factories, to any part of such factories other than rooms or an enclosed portion of the compound specially reserved for the use of such children in which no, manufacturing process is carried on and no articles or materials are stored; and

(*c*) Any factory in which explosives are manufactured.

NOTICES OF ACCIDENTS.

(*Sections* 30 *and* 32.)

76. Notices of accidents resulting in death or causing such severe injury that there is no reasonable hope that the injured person will be able to return to work within 48 hours, shall be sent by telegram, telephone or special messenger within four hours of the occurence to— Notice of accidents.

(i) the Inspector of the area in which the factory is situate, and

(ii) the District Magistrate or if he by general order so directs, any other Magistrate of the First Class.

77. In case of any accident resulting in death, notice shall also be sent to the officer in charge of the police Notice to be given to police if death results immediately.

station for the area in which the factory is situate within the time and by the agency prescribed in rule 76.

Notice when death follows within seven days.

78. If in the case of an accident, the injured person dies within seven days of the accident, information of his death whenever known shall be sent by telegram, telephone or special messenger, within 24 hours of the occurrence to—

(i) the Inspector,

(ii) the District Magistrate or if he by general order so directs, the Magistrate of the First Class, and

(iii) the officer in charge of the police station for the area in which the factory is situated.

Such notice to be in Form 'M.'

79. If the notice is sent by special messenger, it shall be in Form 'M' and if it is sent by telegraph or telephone, it shall be confirmed by a written report in that Form. Copies of all such notices shall be maintained for a period of three years.

Notice of minor accidents.

80. Notices of accidents of a minor character, but which nevertheless prevent the injured person from returning to work within 48 hours of the occurence, shall be given in Form 'M' within 24 hours of the expiry of that time to both the Inspector and the District Magistrate, or if the latter by general order so directs, to the Magistrate of the First Class.

Notice of other accidents.

81. Notices of accidents occurring in a factory which do not cause death or bodily injury but are due to any of the following causes, namely :—

(i) structural collapse,

(ii) the breaking of any rope, chain or other appliance used in raising or lowering persons or goods by the aid of mechanical or electrical power, or

(iii) fires in cotton openers in cotton pressing factories, shall be sent in Form 'M',

(*a*) to the Inspector in all other cases, by registered post within four hours of the occurrence, or the accident shall be reported by telegraph, telephone, or by special messenger within the same period. If the notice is sent by special messenger, it shall be in Form 'M' and it is sent by telegraph or telephone, it shall be confirmed by a written report in that Form. Copies of all such notices shall be maintained for a period three years.

FORM M.

(*Rules* 79, 80 *and* 81).

REPORT OF ACCIDENTS.

Not to be filled up by the Management.	District Date of receipt. Accident No. Classification (fatal, serious or minor). Date of enquiry. Result of enquiry.

1. Name of occupier.
2. Address of Works.
3. Nature of Industry.
4. Branch or Department in which accident occurred.
5. (*a*) Was injury caused to any person ?
   (*b*) If so, the injured person's name.

Address.

Sex Age Caste.

*6. Usual occupation of injured person.
7. Date and hour of accident.
8. Hour at which he started work on day of accident
9. Cause of accident (*a*).

If caused by machinery give—

(*b*) Name of machine and part causing accident.
(*c*) State whether it was moved by mechanical power at the time.
*(*d*) State exactly what injured person was doing at the time.

*10. Describe fully nature and extent of injuries, *e.g.*, fatal, loss of finger, etc.

*11. If accident not fatal, state whether injured person was disabled for 48 hours (see section 30 of the Regulation 1936).

12. Has duplicate copy of this return been kept ?

*13. Under whose treatment is injured person ?

PLACE. *Signature of Occupier,*

Date. *Manager or Agent.*

Inspector to investigate fatal or serious accidents.

82. If the Inspector has reason to believe that a fatal or serious accident has occurred in any factory, whether he has received a notice under section 30 or not, the Inspector shall proceed to make an investigation by himself or in co-operation with any official deputed by the District Magistrate or the Police Authorities, or with both in order to determine, as soon as possible, the cause of, and responsibility for, the accident. If it should be found

*Not to be used when no injury has been caused to any person.

that the death or serious injury resulted from the Occupier or Manager, or other person having neglected to observe any provision of the Regulation or Rule or order made thereunder, the Inspector shall, if he considers that a prosecution should be instituted under the Regulation, report to the District Magistrate that he is instituting a prosecution under the Regulation.

Provided that where the Inspector considers that the prosecution should be instituted by a local official, he shall give the previous sanction in writing required by section 74, and forward the same to the District Magistrate with a request that a prosecution may be instituted. If the Inspector considers that action should also be taken under the Indian Penal Code, he shall record his opinion and send it to the District Magistrate as he may think fit.

"PROCEDURE IN APPEALS."

(*Sections* 31 *and* 32).

Procedure in Appeals.

83. (1) An appeal presented under Section 31 against the order of an Inspector shall lie to the District Magistrate, and that from the order of the Chief Inspector shall lie to Government. The appeal shall be in the form of a Memorandum setting forth concisely the grounds of objection to the order and bearing Court Fee Stamp in accordance with Court Fee Regulation in force, and shall be accompained by a copy of the order appealed against.

(2) The Labour Unions in the case of Textile Industry and Chamber of Commerce in the case of other Industries are hereby prescribed as the bodies empowered to appoint one of the two assessors referred to in sub-section (2) of section 31;

Provided that in respect of industries other than Textile Industry, the appellant shall state in the memorandum presented under sub-rule (1) whether he is a member of any of the aforesaid bodies and if he is a member of two such bodies, which of these two bodies he desires should appoint one of the two assessors as aforesaid; and the body empowered to appoint such assessors shall,

1. If the appellant is the member of one such bodies, be that body;

2. If he is a member of two such bodies, be the body which the appellant desires should appoint such assessors; and

3. If the appellant is not a member of any of the aforesaid bodies or if he does not state in the memorandum which of such bodies he desires should appoint the assessor, be the body which the appellate authority considers as the best fitted to represent the Industry concerned.

Appointment of Assessors.

84. On receipt of the memorandum of appeal, the appellate authority shall, if it thinks fit or if the appellant has requested that the appeal should be heard with the aid of assessors, call upon the body, declared under sub-rule (2) of rule 83 to be the body representative of the industry, concerned under sub-section (2) of section 31, to appoint an assessor within a period of 14 days. If an assessor is nominated by such body, the appellate authority shall appoint a second assessor itself. It shall then fix a date for the hearing of the appeal and shall give due notice of such date to the appellant and to the Inspector whose order is appealed against, and shall call upon the two assessors to appear upon such date to assist in the hearing of the appeal.

Remuneration of Assessors.

85. An assessor appointed in accordance with the provisions of rules 83 and 84 shall receive, for the hearing of the appeal, a fee to be fixed by the appellate authority, subject to a maximum of fifty rupees per diem. He shall also receive reasonable travelling expenses to be fixed by the appellate authority. The fees and travelling expenses shall be paid to the assessors by Government; but where assessors have been appointed at the request of the appellant and the appeal has been decided wholly or partly against him, the appellate authority may direct that the fees and travelling expenses of the assessors shall be paid in whole or in part by the appellant.

PROVISION AND CUSTODY OF FIRST-AID APPLIANCES.

(*Section* 32).

86. Before the Manager shall maintain, free of any charge to the workers, stores of first-aid appliances.

[*Sections* 32 (*b*) *and* 32 (*g*)].

87. (*a*) There shall be provided and maintained so as to be readily accessible a first-aid box or cupboard of the prescribed standard (given below), and where more than

150 workers are employed, an additional box or cupboard for every additional 150 workers.

The number of first-aid boxes or cupboards required under this provision shall be calculated on the largest number of workers employed at any one time, and fractions of 150 shall be reckoned as 150. Where the workers are employed in shifts, the calculation of the number employed shall be according to the largest number at work at any one time.

(*b*) Nothing except appliances or requisites for first-aid shall be kept in a first-aid box or cupboard.

(*c*) Keys of each first-aid box or cupboard shall be in charge of the Manager, who shall ensure that duplicate keys are maintained, and readily available in the departments in which boxes or cupboards are kept during all working hours.

Provided that if an ambulance room or a dispensary with facilities for the adequate treatment of injured cases is maintained, the Inspector may by written certificate exempt the factory from the requirements of rule 86 to such extent and subject to such conditions as he may specify.

Provided further that where the employees of a factory are not exposed to a serious risk of accident, the Inspector may, by written certificate, exempt the factory from the requirements of rule 86 to such extent as he may specify but no certificate shall totally exempt any factory from the necessity of maintaining first-aid appliances.

88. Prescribed standards :—

(*a*) For factories employing 50 workers or less each first-aid box or cupboard shall contain at least—

(*i*) Printed English and Vernacular instructions for the treatment of different types of injuries.

(*ii*) A sufficient number (not less than a dozen) of small sterilised dressings for injured fingers.

(*iii*) A sufficient number (not less than six) of medium sterilised dressings for injured hands or feet.

(*iv*) A sufficient number (not less than six) of large sterilised dressings for other injured parts.

(*v*) A sufficient number of sterilised burn dressings (small and large).

(*vi*) A sufficient supply of sterilised cotton wool, in ½ oz. packets.

(*vii*) A two per cent alcoholic solution of iodine.

(*viii*) A bottle of sal volatile, having the dose and mode of administration indicated on the label.

(*ix*) Eye drops.

(*x*) A supply of suitable splints and cotton wool or other material for padding.

(*xi*) A supply of adhesive plaster.

(*xii*) A tourniquet.

(*xiii*) Six roller bandages.

(*xiv*) Three triangular bandages.

(*xv*) Safety pins.

Provided that items (*x*) to (*xv*) inclusive need not be included in the standard first-aid box or cupboard (*a*) where there is a properly equipped ambulance room, or (*b*) if at least one box containing such items and placed and maintained in accordance with the requirements of rule 86 is separately provided.

Each first-aid box or cupboard shall be distinctively marked with a white cross on a red ground.

(*b*) For factories employing more than 50 workers each first-aid box or cupboard shall contain at least—

(*i*) Printed English and Vernacular instructions for the treatment of different types of injuries.

(*ii*) A sufficient number (not less than two dozens) of small sterilised dressings for injured fingers.

(*iii*) A sufficient number (not less than one dozen) of medium size sterilised dressings for injured hands or feet.

(*iv*) A sufficient number (not less than one dozen) of large sterilised dressings for other injured parts.

(*v*) A sufficient number of sterilised burn dressings.

(*vi*) A sufficient supply of sterilised cotton wool, in ½ oz. packets.

(*vii*) A two per cent alcoholic solution of iodine.

(*viii*) A bottle of sal volatile, having the dose and mode of administration indicated on the label.

(*ix*) Eye drops.

(*x*) A supply of suitable splints and cotton wool or other material for padding.

(*xi*) A supply of adhesive plaster.

(*xii*) A tourniquet.

(*xiii*) One dozen roller bandages.

(*xiv*) Half a dozen triangular bandages.

(*xv*) Safety pins.

Provided that items (*x*) to (*xv*) inclusive need not be included in the standard first-aid box or cupboard (*a*) where there is a properly equipped ambulance room, or (*b*) if at least one box containing such items and placed and maintained in accordance with the requirements of rule 86 is separately provided.

Each first-aid box or cupboard shall be distinctively marked with a white cross on a red ground.

(*c*) For factories in which, owing to the nature of the manufacturing process additional materials are necessary for the treatment of injuries, such additional materials shall be maintained as the Inspector may, by written order, require.

(*d*) All materials for dressings contained in first-aid boxes or cupboards shall be those designated in and of a grade or quality not lower than the standard prescribed by the British Pharmaceutical Codex, 1923.

89. Vernacular notices in Form hereto shall be affixed and maintained in every workroom, stating the nearest first-aid box or cupboard in respect of that room, also warning workers of the dangers of neglecting even small injuries and urging them to obtain proper treatment. The Form may be obtained from the Inspector.

90. Arrangements shall be made to replace as soon as possible articles used from first-aid boxes or cupboards from a reserve supply.

NOTICE FORM.

It is dangerous to neglect injuries.

Without proper care, blood poisoning or infection with serious consequences may result from slight injuries such as cuts, punctures, scratches, splinters, burns, etc.

Workmen are urged to get proper attention to all such injuries and to report at once to their immediate superiors and the Firnt-aid Officer.

The nearest first-aid box is in.

INSPECTOR'S REGISTER OF FACTORIES.

(*Section* 32.)

The Inspector who maintains a register of factories.

91. The Inspector shall maintain a register of al factories under his charge in Form 'N' and shall

furnish a copy thereof to the District Magistrate as early as possible in each year. He shall also intimate to the District Magistrate, at the time they are made, all changes in the register which are made in accordance with rules, 92, 93 and 94.

FORM 'N.

(*Rule* 91.)

REGISTER OF FACTORIES.

Part I—Non-seasonal.

Part II—Seasonal. Year 19 .

Sl. No.	District	Name of factory	Postal address	Nature and amount of power	Nature of manufacturing process carried on	Name of Occupier	Name of Manager	Date of Inspection				Remarks

92. When the Inspector has reason to believe that any premises situated within his limits and not already registered as a factory ought to be included in his register, he shall send to the occupier of the premises a notice intimating his intention of placing such premises on his Register of Factories.

Notice to premises which ought to be registered as factories.

93. Any person served with a notice under Rule 92 may, within 15 days of the receipt of such notice, forward to the Inspector a statement setting forth his objections to the registration of his premises as a factory. The Inspector shall consider and dispose of such objections after making such enquiries as he may deem necessary, and shall communicate his decision to the person concerned.

Objections to such notice and their decision.

94. When any premises ceased to be occupied as a factory, the occupier may give notice of the fact to the Inspector who shall, if satisfied that the Regulation is no longer applicable to such premises, remove them from his Register. The Inspector may, without such notice, and of his own motion, at any time remove any factory from his register if satisfied that it is no longer used as such.

Removal of entries from register.

95. A seasonal factory shall not be removed from the register if there is a probability of its starting work again within a reasonable time.

CERTIFICATE OF STABILITY OF BUILDINGS.

(*Section* 33.)

Manufacturing Process not to be begun in certain buildings without a stability certificate.

96. (1) In any building or part of a building which is erected or used or intended to be used for a cotton spinning or weaving factory or a sugar factory, no work or any manufacturing process with the aid of power shall be commenced until a certificate of stability of the building or part of a building, as the case may be, in Form 'O' signed by a person possessing the qualifications specified in sub-rule (4), has been approved by the Inspector for the area in which the factory is situate.

(2) Such certificate shall be accompanied by the plans of the building or part thereof which is erected or intended to be used as a factory showing its extent and construction and the position of machinery, plant and tanks thereon.

(3) No alteration or addition shall be made to such building or part thereof or to such machinery, plant or tanks, unless a fresh certificate in respect of such alteration or addition has been approved in the manner specified in sub-rule (1).

(4) No person who is not—

(*a*) a Member of the Royal Institute of British Architects,

(*b*) a Member of the Indian Institute of Architects,

(*c*) a Member or Associate Member of the Institute of Civil Engineers,

(*d*) a Member of the Institute of Structural Engineers,

(*e*) a Graduate in Engineering of the Indian University recognised by Government with three years' *bona-fide* practice on his own account or as Chief Assistant of a recognised firm of Engineers,

or

(*f*) possessed of such other qualifications as the Inspector shall approve

shall sign such certificate.

(5) Nothing in this rule shall apply to cotton spinning or weaving factories situate within the limits of the City or Municipal limits.

FORM 'O.'

(*Rule* 96).

CERTIFICATE OF STABILITY OF BUILDINGS.

This is to certify that (*a*) buildings, (*b*) part of the buildings .... marked ..... in the attached plans, which have been prepared under the personal supervision and bear the signature of the undersigned,

(1) were erected and completed

(2) are to be taken into use

as a factory for the manufacture of .... situated at ... . (full details of survey or plot No. and postal address required)

the property of ..... have been personally examined by the undersigned, and, from calculations made, examination of the various materials used, and of the workmanship employed, the undersigned is satisfied that the strength of the aforesaid buildings part of a building is not less than that required by sound engineering practice and Government Resolution laid down by the Mysore Public Works Department. The undersigned is also satisfied that the foundations, floors, columns, stanchions, walls or other portions supporting machinery, plant, shafting, or tanks are strong enough to support such machinery, plant, shafting or tanks with safety.

Place .....

Date ..... *Signature with qualifications.*

HAZARDOUS OPERATIONS (LEAD AND LEAD COMPOUNDS).

(*Sections 33* (*4*) and *78*).

I.

97. (1) The operations specified in the schedule are declared to be hazardous operations, when carried on in any factory.

(2) No woman, adolescent or child shall be employed in any factory in any of the operations specified in Part I of the schedule or, save in any of the operations specified in Part II of the Schedule.

II.

(3) In respect of every woman, adolescent or child employed in a factory in any of the operations specified in Part II of the schedule (hereinafter referred to in this Part of the rule as "such person") the manager of the factory shall have in his possession a certificate of fitness in Form 'P' by a certifying surgeon appointed in Section 12.

(4) Every such person shall carry while he is at work a token giving reference to such certificate.

FORM 'P'.

(*Rule 97*).

MEDICAL CERTIFICATE OF FITNESS.

In respect of persons employed in operations involving the use of lead compounds.

Serial No..... Date.....

I hereby certify that I have personally examined (name) son/daughter/wife of.....caste etc., residing, at .....who is desirous of being employed as.....in the .....factory and that his/her age as nearly as can be ascertained from my examination is.....years and that he/she is, in my opinion, fit for employment at work involving the use of lead compound. His/her descriptive marks are.....

Left thumb mark impression

of person examined. Signature of Surgeon.

(5) Every such person shall be medically examined by a certifying surgeon at intervals of not more than three months, and a record of such examinations shall be kept in Form 'Q'.

FORM 'Q'.

(*Rule 97*).

Register of Medical Inspection of persons employed in processes involving the use of lead compounds.

Serial No.....

(2) Certificate No.....

(3) Name.....

(4) Sex.....Age...../.....Caste.....

(5) Date of employment.....

(6) Date of inspection.....

7. MAIN SYMPTOMS.

1. Blue line on gums.
2. Anæmia.
3. Gastic colic constipation.
4. Nervous symptom vertigo head-ache.
5. Paralysis.
6. Eneephalopathy
7. Others.

(8) Remarks.

(9) Initials of Certifying Surgeon and date

(6) If at any time the certifying surgeon is of opinion that any such person is no longer fit for employment in any of the operations specified in Part II of the schedule, he shall cancel the certificate of fitness of that person and that person shall not be employed in any such operation, unless the certifying surgeon again certifies him to be fit.

(7) Where dust or fume from a lead compound is produced in any operation specified in Part II of the schedule provision shall be made for drawing the fume or dust away from every such person by means of an efficient exhaust draft so contrived as to operate on the dust or fume as nearly as may be at its point of origin.

(8) No food, drink or tobacco shall be brought into or consumed in any room in which any such person is employed.

(9) Adequate protective clothing in a clean condition shall be provided by the employer for and worn by every such person.

(10) Every room in which any such person is employed, and all tools and apparatus used by him, shall be kept in a clean condition.

SCHEDULE.

PART I.

1. Work at a furnace where the reduction or treatment of zinc or lead ores is carried on.

2. The manipulation, treatment, or reduction of ashes containing lead, the desilverising of lead or melting of scrap lead or zinc.

3. The manufacture of solder or alloys containing more than 10 per cent of lead.

4. Manufacture of any oxide carbonite, sulphate, chromate acetite, nitrate, or silicate of lead.

5. Mixing or posting in connection with the manufacture or repair of electric accumulators.

6. The cleaning of workrooms where any of the process aforesaid are carried on.

PART II.

Any other operation involving the use of lead compound.

HOLIDAYS.

(Section 35).

Return of Holidays.

98. (1) Before the end of each calendar month, unless exempted, the manager of every factory shall deliver or cause to be delivered to the Office of the Inspector of the area in which the factory is situate, a return giving notice of all the days on which the factory will be closed during the succeeding month.

(2) The return of holidays shall be delivered whether the factory is or is not working during the calendar month preceding the one to which the return relates, and if any change of date is subsequently made, notice shall be delivered to the office of the Inspector in accordance with section 35.

99. The approved compensatory periods of rest shall be entered in Form 'B'.

NOTICES AND REGISTERS.

(Sections 39, 41, 55 and 56).

Form of notice of periods for work.

100. The notice of periods for work of workers shall be in the Form 'C' prescribed. The information required under sections 39 and 55 shall be recorded separately.

Form or Register of workers.

101. The registers maintained under sections 41 and 56 ghall be in Form 'D'. These registers shall be written up afresh each year and shall, always be available for inspections and be preserved for 12 months.

Form of abstract of Regulation and Rules.

102. The abstract of the Regulation and rules required by section 76 to be affixed shall be in Form 'R' for non-seasonal factories and in Form 'S' for seasonal factories.

FORM 'R'.

(*Rule 102*).

ABSTRACT OF THE FACTORIES REGULATION, 1936, AND RULES 1936.

(To be fixed in a conspicuous place near the main entrance).

NON-SEASONAL FACTORIES.

1. No adult worker shall be allowed to work in any factory for more than 10 hours in any day.

2. No adult worker shall be allowed to work in any non-continuous process factory for more than fifty-four hours in any week or for more than fifty-six hours in a continuous process factory.

3. No child shall be allowed to work in any factory for more than five hours in any day. (This also applies to adolescents who have not received a certificate of fitness to work as adults).

4. Unless otherwise notified no woman or child shall be allowed to work before or after the hours noted below. (Male adolescents may only be so employed if they are in possession of a certificate of fitness to work as an adult and either carry the certificate or a token giving reference to the certificate):—

From November 1st to March 31st inclusive.	before 6-30 a.m. and after 7-30 p.m.
From April 1st to October 31st inclusive.	before 6-00 a.m. and after 7-00 p.m.

5. There must be fixed for every worker on each working day:—

(*a*) either an interval for rest of at least one hour's duration before more than six hours' work; or

(*b*) an interval for rest of at least half an hour's duration before more than five hours' work; or two half hour intervals before more than eight and a half hours' work, and no period of work shall exceed five hours.

6. No worker shall be allowed to work in any factory on a Sunday, unless:—

(*a*) he has had, or will have, a holiday for a whole day on one of the three days immediately before or after that Sunday, and

(*b*) the manager of the factory has before that Sunday or the substituted day whichever is earlier,

delivered notice to the Office of the Inspector of his intention to require the worker to work on the Sunday and of the day which is to be substituted, and displayed a notice to that effect in the factory.

Provided that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

7. The periods of work together with intervals for rest shall not spread over more than,—

(*a*) thirteen hours in any day for an adult;

(*b*) seven and a half hours in any day for a child.

8. No child or adolescent shall be allowed to work in any factory unless he is in possession of a certificate granted under section 52 (2) and while at work carries a token giving reference to the certificate. (An adolescent who has not been granted a certificate of fitness to work in a factory as an adult shall, notwithstanding his age, be deemed to be a child).

9. No person shall employ or permit to be employed in any factory any child or, except in prescribed circumstances, any other worker whom he knows, or has reason to believe, to have already been employed on the same day in any other factory.

10. A register in Form 'D' must be kept for all workers employed in every factory unless the Government or the Inspector specially grants exemption from the maintenance of this register by written order.

11. The notice required by sections 39 and 55 shall be written in Form 'C' and shall be posted in a conspicuous place near the main entrance of the factory.

12. Every factory shall be suitably and sufficiently lighted by safe methods.

13. (*a*) In every factory, there shall be maintained a free, sufficient and suitable supply of drinking water;

(*b*) In every factory stores of first-aid appliances shall be maintained for the use and free treatment of injured persons;

(*c*) In factories in which workers come in contact with injurious or obnoxious substances suitable washing accommodation shall be maintained.

14. Every factory shall be provided with latrine accommodation. If females are employed, separate screened and marked latrines and urinals shall be provided.

15. Unless specially exempted, factories must be lime-washed each year and the date recorded in Form 'I.'

16. Any person who smokes or uses a naked light, or causes or permits any such light to be used, in the immediate vicinity of any inflammable material in contravention of section 66 shall be punishable with fine which may extend to five hundred rupees.

17. All accidents within the scope of section 30 must be reported as required by rules 76-81.

18. All structural collapses, the breakage of ropes, chains or other lifting gear, and fires in cotton openers, must be reported in accordance with rule 81, that is, whether injury is caused or not.

19. No woman, adolescent or child shall be employed on lead processes, save in accordance with the Hazardous Occpations (Lead) Rule 97.

20. *Exceptions.*—(*a*) Chapter IV does not apply to clerks, time-keepers or accountants or to persons included in the Schedule in Rule 105.

(*b*) Sections 34, 35, 36, 37, 38, 39 and 40 do not apply to any work or classes of persons to be specifically exempted by the Government under the provisions of section 43 (2) to the extent specified in Appendix.

(*c*) Sections 34, 35, 36, 37, 38, 39 and 40 do not apply to factories specifically exempted by the Government under the provisions of section 44 (2) to the extent to be noted in the exemption order.

(*d*) No woman, under any circumstances, shall be employed for more than ten hours in any one day.

21. All persons who exceed fifty-four hours' work a week but not more than sixty hours under any exemption granted in factories other than those employed on continuous production work for technical reasons, and all persons who exceed fifty-six hours' work a week but not more than sixty hours employed on continuous production work for technical reasons, shall be paid for the overtime at a rate at least one and a quarter times the normal rate. All persons who exceed sixty hours of work a week as above, or exceed ten hours a day, shall be paid overtime at a rate of at least one and half times the normal rate.

Inspector of Factories.

FORM 'S'.

(*Rule 102*).

ABSTRACT OF THE FACTORIES REGULATION AND RULES 1936.

(To be fixed in a conspicuous place near the main entrance).

SEASONAL FACTORIES.

1. (*a*) No male adult worker shall be allowed to work in any factory for more than eleven hours in any day.

(*b*) No female adult worker shall be allowed to work in any factory for more than ten hours in any day.

2. No adult worker shall be allowed to work in any factory for more than sixty hours in any week.

3. No child shall be allowed to work in any factory for more than five hours in any day. (This also applies to adolescents who have not received a certificate of fitness to work as adults.)

4. No woman or child shall be allowed to work before or after the hours noted below. (Male adolescents may only be so employed if they are in possession of a certificate of fitness to work as an adult and carry a token giving reference to the certificate) :—

From November 1st to March 31st inclusive.	before 6-30 A.M. and after 7-30 P.M.
From April 1st to October 31st inclusive.	before 6 A.M. and after 7 P.M.

5. There must be fixed for every worker on each working day :—

(*a*) either an interval for rest of at least one hour's duration before more than six hours' work; or

(*b*) an interval for rest of at least half an hour's duration before more than five hours' work, or two half hour intervals before more than eight and a half hours' work and no period of work shall exceed five hours.

6. No worker shall be allowed to work in any factory on a Sunday, unless .—

(*a*) he has had, or will have, a holiday for a whole day on one of the three days immediately before or after that Sunday, and

(*b*) the manager of the factory has before that Sunday or the substituted day, whichever is earlier, delivered notice to the Office of the Inspector of his intention to require the worker to work on the Sunday and of the day which is to be substituted, and displayed a notice to that effect in the factory :

Provided that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

7. The periods of work together with intervals for rest shall not spread over more than—

(*a*) thirteen hours in any day for an adult,

(*b*) seven and a half hours in any day for a child.

8. No child or adolescent shall be allowed to work in any factory unless he is in possession of a certificate granted under section 52 (2) and while at work carries a token giving reference to the certificate. (An adolescent who has not been granted a certificate of fitness to work in a factory as an adult, shall, notwithstanding his age, be deemed to be a child).

9. No person shall employ or permit to be employed in any factory any child or, except in prescribed circumstances, any other worker whom he knows, or has reason to believe, to have already been employed on the same day in any other factory.

10. A register in Form 'D' must be kept for all workers employed in every factory, unless the Government or the Inspector specially grants exemption from the maintenance of this register by written order.

11. The notice required by sections 39 and 55 shall be written in Form 'C' and shall be posted in a conspicuous place near the main entrance of the factory.

12. Every factory shall be suitably and sufficiently lighted by safe methods. Cotton ginning factories must not be lighted by lamps burning vapour under pressure and if candles are used they must be in satisfactory glass lanterns and at least one per two gins used.

13. (*a*) In every factory there shall be maintained a free, sufficient and suitable supply of drinking water;

(*b*) In every factory stores of first-aid appliances shall be maintained for the use and free treatment of injured persons;

(*c*) In factories in which workers come in contact with injurious or obnoxious substances suitable washing accommodation shall be maintained.

14. Every factory shall be provided with latrine accommodation. If females are employed, separate screened and marked latrines and urinals shall be provided.

15. Unless specially exempted factories must be lime-washed each year and the date recorded in Form 'I.'

16. Any person who smokes or uses a naked light, or causes or permits any such light to be used, in the immediate vicinity of any inflammable material in contravention of section 66 shall be punishable with fine which may extend to five hundred rupees.

17. All accidents within the scope of section 30 must be reported as required by rules 76-81.

18. All structural collapses, the breakage of ropes, chains or other lifting gear, and fires in cotton openers, must be reported in accordance with rule 81, that is, whether injury is caused or not.

19. *Exceptions.*—

(*a*) Chapter IV does not apply to clerks, time-keepers or accountants or to persons included in the Schedule in rule 105.

(*b*) Sections 34, 35, 36, 37, 38, 39 and 40 do not apply to any work or classes of persons to be specifically exempted by the Government under the provisions of section 43 (2) to the extent specified in Appendix.

(*c*) Sections 34, 35, 36, 37, 38, 39 and 40 do not apply to factories specifically exempted by the Government under the provisions of section 44 (2) to the extent to be noted in the exemption order.

(*d*) No woman, under any circumstances, shall be employed for more than ten hours in any one day.

INSPECTOR OF FACTORIES.

103. All Registers and Returns and Notices required to be maintained under the Regulation and Rules shall be maintained in English or in Kanarese.

The abstract of the Regulations and Rules shall be either in English or in Kanarese or in the language of the majority of the workers employed in the Factory.

104. The manager of every factory shall furnish to the Inspector on or before the 15th January in each year an annual return in duplicate in Form 'T'; provided that in the case of the factory in which work is carried on only

in certain season or certain seasons of a year the manager shall, if so required by the Inspector, submit the annual return within 15 days after the close of that season or of the last of three seasons, as the case may be. Government may dispense with this return in case of any class of factories or of the Factories in any particular area.

FORM 'T.'

(*Rule* 104.)

Year ending December 31, 19...

Name of Factory..... Season ending.....19...

Name of Occupier..... Name of Manager.....

1. District.....
2. Place.....
3. Nature of Industry.....

4.	Average number of operatives employed daily.	Men ..... Women..... Boys..... Girls.....
5.	Average Normal hours worked per week.	Men..... Women ..... Children.....

6. What intervals are given to adults?
7. Are rest intervals given to children.....
8. Are work days sometime substituted for Sundays as weekly holidays.....
9. Are the majority of operatives exempted from provisions of sections 21.....
   22.....
   27.....
   28.....

ADULTS EXEMPTED UNDER SECTION 43.

105. The following persons shall be deemed to hold positions of supervision or management :— Persons defined to hold positions of supervision or management.

(*a*) All persons specified in the Schedule below.

(*b*) Any other person who, in the opinion of the Inspector, holds a position of supervision of management.

SCHEDULE.

LIST OF PERSONS TO HOLD POSITIONS OF SUPERVISION OR MANAGEMENT IN FACTORIES.

I. All Factories.

Manager.
Assistant Manager.
Departmental Heads and Assistants.
Engineer and Certified Assistants.
Electrical Engineer.
Head Storekeeper and Assistants.
Boiler Chargeman.
Technical Experts.

II. Engineering Workshops.

Foremen.
Inspectors.
Chargemen.
Workshop Overseers.
(In addition to persons in the list "I. All Factories" above).

III. Spinning and Weaving Mills.

Engineering Department.

Foremen Mechanics.

Spinning Departments.

Jobbers.
(*Note.*—Spinning departments shall, for the purposes of this Rule, be deemed to include also the blowing, carding, drawing and frame departments.)

Weaving Departments.

Jobbers, Overseers.
(*Note.*—Weaving departments for the purposes of this Rule, be deemed to include the preparatory departments of winding, warping and sizing.)

Dyeing, Bleaching, Calendering, Finishing and Cloth Printing Departments.

Jobbers, Overseers.

(In addition to persons in the list "I. All Factories" above).

Persons defined to hold confidential position.

106. All clerks and timekeepers employed in a factory within the meaning of clause (*h*) of section 2 shall be deemed to be employed in a confidential position in the factory.

List to be maintained of persons holding confidential position or position of supervision or management.

107. A list showing the names and designations of all persons to whom the provisions of sub-section (1) of section 43 have been applied shall be maintained in every factory.

OVERTIME LIMITS AND PAYMENTS FOR EXEMPTED WORKERS.

(Section 47.)

Muster-roll for exempted factories.

108. The manager or occupier of every factory in which workers are exempted under section 43 or 44 from the provisions of section 34 or 36 shall keep a muster-roll in Form 'U' showing the normal piece work rate of pay, or the rate of pay per hour, or per day of nine hours in non-seasonal factories, or per week of fifty-four hours in non-seasonal factories other than those employed on continuous production work for technical reasons, or of fifty-six hours in non-seasonal factories employed on continuous production work, or of sixty hours in seasonal factories, of all exempted employees. In this muster-roll shall be correctly entered the overtime hours of work and payments therefor of all exempted workers. The muster-roll in Form 'U' shall always be available for inspection.

FORM "U".

(Rule 109.)

OVERTIME MUSTER-ROLL FOR WORKERS ON EXEMPTED WORK.

Month ending.....

Number in Register	Name	Department	Dates on which overtime has been worked	Extent of overtime on each occasion	Total overtime worked	Normal hours	Normal rates of pay	Overtime rate of pay	Normal earnings	Overtime earnings	Total earnings

Total overtime for women exempted from section 34.

109. Where women are exempted from the provisions of section 34, under the provisions of section 43, the total overtime permitted shall not exceed six hours during the week.

Total overtime for male adult workers exempted from sections 34 and 36.

110. Where male adult workers are exempted from the provisions of sections 34 and 36, the overtime permitted shall not exceed 12 hours in any one week. But nothing in this rule shall apply to work on urgent repairs carried out under the conditions laid down in item 1 of Appendix under Rule 106.

EMPLOYMENT OF MEN IN MORE THAN ONE FACTORY.

(Section 48.)

When employment of men in more than one factory may be sanctioned.

111. The Inspector may sanction the employment of adult workers in more than one factory on the same day if he is satisfied that such adult worker—

(*a*) is employed in accordance with section 34, and

(*b*) has the holiday prescribed by section 35.

Note of such employment to be made in register.

112. A note, under the initials of the Inspector, shall be made in the remarks column of the register against all adult workers permitted to work in more than one factory under rule 110. For the purpose of Register of workers under adults and adolescents and children, the Forms prescribed are 'V' and 'W' respectively.

FORM "V."

(Rule 113.)

REGISTER OF WORKERS.

Adults:—Part I ... Men. Name of Factory .....

II ... Women. Postal Address .....

No.	Name	Father's name	Caste or religion	Nature of work	Hours of work/Days of week*					Remarks
					I period From To	II period From To	III period From To	I period From To	Total weekly hours	

*Days of week represent Sunday, Monday—Saturday.

FORM 'W.'

(*Rule 113.*)

REGISTER OF WORKERS.

Adolescents:—Part III ... Males.
IV ... Females.
Children:—Part V ... Boys. Name of Factory.....
VI ... Girls. Postal Address .....

Number	Name	Father's name	Caste or religion	Nature of occupation	Hours of work/Days of the week			Total weekly hours	Provisional Certificate		Certifying Surgeon's Certificate		Remarks
					I period From To	II period From To	Days of week		No.	Date	No.	Date	

EMPLOYMENT OF ADOLESCENTS AND CHILDREN.

(*Sections 51, 53, and 59.*)

113. The token which a child or adolescent at work wears under section 51 shall have the number of the child or adolescent in the Register stamped upon it. Token of child and adolescent to bear numbers.

S. ABDUL WAJID,
Chief Inspector of Factories.

Printed by the Superintendent at the Government Press, Bangalore.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 3—Legis. (Camp) Mysore, dated 3rd June 1936.

In exercise of the powers conferred on them by Section 33 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to issue the following rule regarding motor vehicles in respect of which a tax has been paid and which are subsequently altered or used in such a manner as to become liable for a higher rate of tax, the draft rules in the said behalf having already been notified with Notification No. P. 7162—Legis., dated 28th April 1936 and published at page 151 of Part IV of the *Mysore Gazette*, dated 30th April 1936.

Rules.

When any motor vehicle in respect of which a tax has been paid is altered or used in such manner as to cause the vehicle to become a vehicle in respect of which a higher rate of tax is payable, the registered owner or

person who is in possession or control of such vehicle shall, in addition to any other liability, he may incur in respect of such alteration or use, pay an additional tax of a sum which is equal to the difference between the tax already paid and the tax which is payable in respect of such vehicle for the quarter during which the higher rate of tax becomes payable in consequence of the said alteration or use.

Note:—In regard to a motor car subsequently used as a motor cab, the tax which shall be regarded as paid in respect of the vehicle for a quarter shall for purposes of this rule, be reckoned at one-fourth the annual or half the half-yearly tax.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 8491, dated Bangalore, the 19—24th June 1936.

The following draft amendment to Rule 18 of the rules for the composition of tolls in respect of a single toll-bar issued with Notification No. P. 3443—Legis. 46-35, dated 27th November 1935, which the Government propose to make in exercise of the powers conferred upon them under Section 21 of the Mysore Road Traffic and Taxes Regulation VI of 1935, is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 3rd July 1936 and any suggestions or objections may be sent before that date:—

DRAFT AMENDMENT.

Put a full stop after the word "Taluk" occurring in line 6 of Rule 18 and delete the remaining portion of the first sentence.

The rule after this amendment will read as follows :—

"18. Rules applicable to carts drawn by a single bullock or two bullocks :—

Every person who wishes to compound for tolls in respect of his bullock cart at any one toll-gate at which such composition is allowed shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk. He shall further produce the vehicle before the said officer."

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

No. 5732—*L. C., Bangalore, dated 24th June* 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to amend the Mysore Road Traffic and Taxes Regulation, 1935, is published for general information with the statement of objects and reasons.

By Order,

C. SUBRAHMANYA AIYAR,
Secretary, Mysore Legislative Council.

A BILL TO AMEND THE MYSORE ROAD TRAFFIC AND TAXES REGULATION, 1936.

Whereas it is expedient to amend the Mysore Road Traffic and Taxes Regulation No. VI of 1935; It is hereby enacted as follows:— Mysore Regulation VI of 1935.

1. This Regulation may be called the Mysore Road Traffic and Taxes (Amendment) Regulation, 1936. Short title.

2. It shall come into force on such date as the Government may by Notification in the Official Gazette direct. Commencement.

3. After Sub-Sections 2 and 3 of Section 9 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935 (hereinafter referred to as the said Regulation), the following Sub-Section numbered as 3. A. shall be added, namely, Amendment of Section 9—Mysore Regulation VI of 1935.

"3. A. Notwithstanding anything contained in Section 8 and Sub-Sections (2) and (3) of Section 9, the Government may, by notification in the Official Gazette from time to time, direct the levy of taxes, at rates not exceeding those specified in Schedule II. E. on motor vehicles belonging to or in the possession and control of persons not ordinarily residing in Mysore, and used or kept for use in Mysore by such persons for periods shorter than the half-year or the quarter as the case may be, but not exceeding 30 days at a time. The levy of taxes shall be subject to such conditions as may be specified by the Government in the said notification."

4. In Sub-Section 4 of Section 9, the words "other than a vehicle tax" shall be omitted and for the word "quarter" in both places where it occurs, the word "period" shall be substituted. Amendment of Section 4 of Mysore Regulation VI of 1935.

5. After Schedule II. D. to the said Regulation the following Schedule numbered as Schedule II. E. shall be added, namely, Insertion of new Schedule.

SCHEDULE II. E.

(See Sections 8 and 9—Sub-Section 3A.)

Class of Vehicles	For periods not exceeding 7 days at a time	For periods exceeding 7 days but not exceeding 30 days at a time
Vehicle Taxes—	Rs. a. p.	Rs. a. p.
1. Motor Cycles	1 4 0	3 12 0
2. Motor cars constructed or adapted to carry in all not more than seven persons including tha driver—		
(a) Weighing not more than 15 cwts. unladen.	2 8 0	7 8 0
(b) Weighing more than 15 cwts. unladen.	3 8 0	10 0 0
3. Motor cars constructed or adapted to carry eight persons or more including the driver.	10 0 0	30 0 0

ROAD TAX.

Class of Vehicles	Not let or plied for hire	Let or plied for hire	Not let or plied for hire	Let or plied for hire
1. *Motor Lorries*—	Rs.	Rs.	Rs.	Rs.
(a) Not exceeding 15 cwts. in weight unladen.	6 0 0	9 0 0	12 0 0	18 0 0
(b) Exceeding 15 cwts. but not exceeding 30 cwts. in weight unladen.	14 0 0	21 0 0	28 0 0	42 0 0
(c) Exceeding 30 cwts. but not exceeding 50 cwts. in weight unladen.	22 8 0	33 12 0	45 0 0	67 8 0
(d) Exceeding 50 cwts. in weight unladen.	50 0 0	75 0 0	100 0 0	150 0 0

SERVICE TAX.

Motor Cars and Motor Buses—

	Rs. a. p.	Rs. a. p.
1. For every person the vehicle is licensed to carry ...	1 8 0	3 0 0

MILEAGE CESS.

Motor Buses ... ... 9 pies per mile.

Provisos :—

(1) In all cases vehicles not fitted with pneumatic tyres on all wheels shall be liable to one and half time the rate of tax prescribed above for the respective class of the vehicle.

(2) The Vehicles liable to the Vehicle Tax, the Road Tax, the Service Tax and the Mileage cess shall be subject to the privileges, conditions, exemptions and limitations specified in the Schedule relating to that tax, amongst Schedules II. A. to II. D.

Statement of Objects and Reasons.

The object of the Bill is to empower the Government to levy taxes for short periods not exceeding thirty days on foreign motor vehicles entering Mysore for such short periods.

According to the Mysore Road Traffic and Taxes Regulation, every motor vehicle used or kept for use in Mysore is liable to a half-yearly or a quarterly tax which must be paid in advance. This applies also to persons not residing in Mysore, but bringing their vehicles for temporary use in the State. Such vehicles have now to pay the half-yearly or the quarterly tax and obtain, on application, a refund according to the scales fixed by Government in exercise of powers conferred on them under Sub-Section (3) of Section 9, and Section 13 of the Regulation.

This system has been found to be very inconvenient. Motor vehicle owners from outside have to make a heavy initial payment even for short periods and have to wait for refunds. The grant of refunds involves a good deal of clerical labour and accounting which may be avoided.

It is therefore proposed to introduce the system of weekly and monthly licenses with appropriate taxes in

each case. The Bill gives the necessary power for this. The taxes to be levied in such cases should not exceed the maxima specified in the Schedule to the Bill. Persons from outside the State using or keeping their vehicles for use in Mysore for periods longer than 30 days will have to pay the quarterly and half-yearly tax and obtain such refunds as may be fixed by the Government, under powers vested in them by the Regulation.

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BANGALORE, THURSDAY, JULY 2, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 8609—Legis., dated Bangalore, the 27th June 1936.

In exercise of the powers conferred on them under Sections 13 and 22 of the Mysore Road Traffic and Taxes Regulation, 1935, the Government of His Highness the Maharaja are pleased to exempt from payment of all taxes and tolls due under the said Regulation and also from Municipal tolls leviable under the Mysore City, Town and Minor Municipalities Regulation, the undermentioned motor vehicles belonging to His Highness the Maharaja Scindia of Gwalior during His Highness's stay in Mysore State.

1. Dodge, body of black colour, bearing Gwalior State No. 18.
2. Chrysler, body of black colour, bearing Gwalior State No. 15.
3. Military Dodge Truck, bearing Gwalior State No. 19.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 170, dated Bangalore, 4th July 1936.

In exercise of the powers conferred on them under Section 13 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to exempt from payment of Road Tax, due under the said Regulation, the motor lorry No. MYS. 844, used by Messrs. John Taylor & Sons' Committee, Kolar Gold Fields, for the transport of Rescue Apparatus.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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BANGALORE, THURSDAY, JULY 16, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. R. 319—L. S. 91-35-3, dated Bangalore, 14th July 1936.

Under Section 17 (3) of the Record of Rights Regulation X of 1927, the following draft amendment to Rule 38A of the Rules under the said Regulation is published for the information of all persons likely to be affected thereby. Objections or suggestions that any person may wish to urge in regard to the proposed amendment may be communicated to the Chief Secretary to Government so as to reach him on or before the 15th August 1936 after which date the amendment will be taken up for final consideration.

The sub-para under Rule 38A of the Rules will be amended so as to read as follows:—

> "No fee shall be charged in the case of grants of lands on darkhasts to private individuals and in the case of purchase of lands in sales held for arrears of revenue."

By Order,

B. T. KESAVA IYENGAR,
Chief Secretary to Government.

No. D. 84—C. S. 56-35-6, dated Bangalore, the 8th July 1936.

Under Section 66 (4) of the Mysore Co-operative Societies Regulation of 1918 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for general information the following draft rules regarding the distraint and sale of standing crops.

Objections, if any, to the rules as well as suggestions for additions, alterations or omissions by persons or bodies likely to be affected by these rules may be forwarded to the General Secretary to Government within two months from the date of this Notification in the *Mysore Gazette*, after which they will be taken into consideration by Government.

Any objections or suggestions received after the due date will not receive consideration.

1. On receipt of an application by the Committee of a Bank under Section 66 of the Mysore Co-operative Societies Regulation for the recovery of any instalment or part thereof under a mortgage executed in favour of the Bank by distraint and sale of the produce of the mortgaged land including the standing crops thereon, the Registrar may after satisfying himself that the instalment or any part of such instalment has remained unpaid for more than one month from the date on which it fell due and that the application has been made within twelve months from the date on which the instalment fell due, pass an order for the distraint of a sufficient part of the produce of the mortgaged land including the standing crops thereon.

2. On passing such an order, the Registrar shall send a requisition to the Deputy Commissioner of the District in which such land is situate to effect the distraint together with a copy of his order.

3. On receipt of such a requisition from the Registrar, it shall be lawful for the Deputy Commissioner :—

(*a*) to require that the crop growing on the mortgaged land shall not be reaped until a notice in writing has first been given to himself or to some other officer to be named by him in this behalf and such notice has

been returned endorsed with an acknowledgment of its receipt;

(*b*) to direct that no such crop shall be removed from the land on which it has been reaped or from any place in which it may have been deposited without the written permission of himself or of some other officer as aforesaid;

(*c*) to cause watchmen to be placed over any such crop to prevent the unlawful reaping or removal of the same and to realise the amount required for the remuneration of the said watchmen.

4. The Deputy Commissioner's orders under either Clause (*a*) or (*b*) of the above rule shall be made known by public proclamation, by beat of drum in the village and by affixing a copy of the order in the Chavadi or some other public building in the village in which the mortgaged land is situate.

5. Any person who shall disobey any such order after the same has been so proclaimed or a notice thereof has been served upon him or who shall within the meaning of the Indian Penal Code abet the disobedience of any such order shall on conviction after summary enquiry by the Deputy Commissioner be liable to pay a fine not exceeding double the amount for which it had been attached.

6. If within two months after the crop has been deposited, the amount due together with costs has not been paid, the Deputy Commissioner shall proceed to realise it by sale of such portion of the crop as is necessary, provided that the limit of two months shall not apply to articles of a perishable nature, which shall be sold immediately.

7. When the sale of the distrained produce is ordered, the Deputy Commissioner shall issue a proclamation in Kannada of the intended sale, specifying the amount due, the time and place of sale and whether the sale is subject to confirmation or not. Such proclamation shall be made by beat of tom tom in the village in which the property is seized.

8. A written notice of the intended sale shall be affixed in the Amildar's or the Deputy Amildar's Office and in the Chavadi or other public building in the village in which the produce was seized.

9. Sales shall be made by auction by such persons as the Deputy Commissioner may direct. No such sale shall take place on a General Holiday recognised by Government or until the expiration of at least seven days from the latest date on which the notice shall have been affixed, as required by the last preceding rule.

The sale may from time to time be postponed for any sufficient reason.

10. Nothing in the last three rules applies to the sale of perishable articles.

11. If the defaulter or any person on his behalf pays the instalment due together with such other charges legally due by him before the property is knocked down, to the officer appointed to conduct the sale or if he furnished adequate security, the sale shall be stayed.

12. Sale of perishable articles shall be finally concluded by the officer conducting such sales. All other sales finally concluded by the officer conducting the sales shall be subject to confirmation of such officer, as may be directed in orders to be made by the Deputy Commissioner.

13. When the sale of any moveable property is finally concluded by the officer conducting the same, the price of every lot shall be paid for at the time of sale or as soon after as the said officer shall direct and in default of such payment the property shall forthwith be again put up and sold. On payment of the purchase money, the officer holding the sale shall grant a receipt for the same and the sale shall become absolute as against all persons whomsoever.

14. When the sale of any moveable property is subject to confirmation, the party who is declared to be the purchaser shall be required to deposit immediately 25 per cent on the amount of his bid and in default of such deposit, the property shall forthwith be again put up and sold. The full amount of the purchase money shall be paid by the purchaser before sunset of the day after he is informed of the sale having been confirmed or if the said day be an authorised holiday, then before sunset of the first office day after such day. On payment of such full amount of the purchase money, the purchaser shall be granted a receipt for the same and the sale shall become absolute against all persons whatsoever.

15. In default of payment within the prescribed period of the full amount of purchase money, the deposit

after defraying thereout the expenses of the sale shall, at the discretion of the Deputy Commissioner, be liable to be forfeited to Government either wholly or in part and the property shall be resold and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may be subsequently sold.

16. If the proceeds of the resale which is held by reason of the purchaser's default be less than the price bid by such defaulting purchaser, the difference shall be recoverable from him by the Deputy Commissioner as an arrear of land revenue.

17. Every resale of property in default of payment of the purchase money or after the postponement of the first sale, shall, except when such resale takes place forthwith, be made after the issue of a fresh notice in the manner prescribed for original sales.

18. Where the sale of any property is not confirmed or is set aside, the purchaser shall be entitled to receive back his deposit or his purchase money as the case may be.

19. When any sale becomes absolute, the proceeds shall be credited to the Taluk Treasury to the account of the creditor Bank and the fact intimated to it or the amount due shall be remitted by a Remittance Transfer Receipt after defraying the expenses of watch and sale.

20. If any claim be set up by a third person to moveable property attached under these provisions, the Deputy Commissioner shall admit or reject his claim on a summary inquiry held after reasonable notice. It the claim be admitted wholly or partly, the property shall be dealt with accordingly. Except in so far as it is admitted, the property shall be sold and the title of the purchaser shall be good for all purposes, and the proceeds shall be disposable as aforesaid.

No. P. 433—Legis. 46-35-83, dated Bangalore, the 14th July 1936.

In exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation 1928 and Sections 5 and 23 (3) of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His

Highness the Maharaja are pleased to issue the following amendment to the Public Service Motor Vehicles Rules, 1935, the draft rules in the said behalf having been published with Notification No. P. 6935—Legis 46-35, dated 20th—21st April 1936, at page 148 of Part IV of the *Mysore Gazette*, dated 23rd April 1936.

For Rules 88 to 93 substitute the following :—

"**Appeals and Revision.**

88. The Board may, either on its own motion or on an application made in this behalf, call for and examine the record of any enquiry or the proceedings of any officer under these rules, for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer. If, in any case, it shall appear to the Board that any decision or order or proceedings so called for should be modified, annulled or reversed, the Board may pass such order thereon as it may deem fit.

89. Subject to the powers of revision vested in the Board, the order of a District Magistrate granting or refusing a permit under these rules and all orders regarding time-table and frequency of services and conditions attached to the permit and other similar matters passed by a District Magistrate shall be final.

90. In any application for revision under the foregoing rules, the Board may, pending the disposal of the application, direct the execution of the decision or order complained against to be suspended.

91. The power of the Board under any of the foregoing rules may be exercised by the Chairman or by any other member or members of the Board as may be authorised by the Chairman in this behalf.

92. The decision of the Traffic Board shall be final."

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,

General Department.

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BANGALORE, THURSDAY, JULY 16, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

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> "No fee shall be charged in the case of grants of lands on darkhasts to private individuals and in the case of purchase of lands in sales held for arrears of revenue."

By Order,

B. T. KESAVA IYENGAR,
Chief Secretary to Government.

No. D. 84—*C. S.* 56-35-6, *dated Bangalore, the* 8*th July* 1936.

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Objections, if any, to the rules as well as suggestions for additions, alterations or omissions by persons or bodies likely to be affected by these rules may be forwarded to the General Secretary to Government within two months from the date of this Notification in the *Mysore Gazette*, after which they will be taken into consideration by Government.

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2. On passing such an order, the Registrar shall send a requisition to the Deputy Commissioner of the District in which such land is situate to effect the distraint together with a copy of his order.

3. On receipt of such a requisition from the Registrar, it shall be lawful for the Deputy Commissioner :—

(*a*) to require that the crop growing on the mortgaged land shall not be reaped until a notice in writing has first been given to himself or to some other officer to be named by him in this behalf and such notice has

been returned endorsed with an acknowledgment of its receipt;

(*b*) to direct that no such crop shall be removed from the land on which it has been reaped or from any place in which it may have been deposited without the written permission of himself or of some other officer as aforesaid;

(*c*) to cause watchmen to be placed over any such crop to prevent the unlawful reaping or removal of the same and to realise the amount required for the remuneration of the said watchmen.

4. The Deputy Commissioner's orders under either Clause (*a*) or (*b*) of the above rule shall be made known by public proclamation, by beat of drum in the village and by affixing a copy of the order in the Chavadi or some other public building in the village in which the mortgaged land is situate.

5. Any person who shall disobey any such order after the same has been so proclaimed or a notice thereof has been served upon him or who shall within the meaning of the Indian Penal Code abet the disobedience of any such order shall on conviction after summary enquiry by the Deputy Commissioner be liable to pay a fine not exceeding double the amount for which it had been attached.

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9. Sales shall be made by auction by such persons as the Deputy Commissioner may direct. No such sale shall take place on a General Holiday recognised by Government or until the expiration of at least seven days from the latest date on which the notice shall have been affixed, as required by the last preceding rule.

The sale may from time to time be postponed for any sufficient reason.

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11. If the defaulter or any person on his behalf pays the instalment due together with such other charges legally due by him before the property is knocked down, to the officer appointed to conduct the sale or if he furnished adequate security, the sale shall be stayed.

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16. If the proceeds of the resale which is held by reason of the purchaser's default be less than the price bid by such defaulting purchaser, the difference shall be recoverable from him by the Deputy Commissioner as an arrear of land revenue.

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18. Where the sale of any property is not confirmed or is set aside, the purchaser shall be entitled to receive back his deposit or his purchase money as the case may be.

19. When any sale becomes absolute, the proceeds shall be credited to the Taluk Treasury to the account of the creditor Bank and the fact intimated to it or the amount due shall be remitted by a Remittance Transfer Receipt after defraying the expenses of watch and sale.

20. If any claim be set up by a third person to moveable property attached under these provisions, the Deputy Commissioner shall admit or reject his claim on a summary inquiry held after reasonable notice. It the claim be admitted wholly or partly, the property shall be dealt with accordingly. Except in so far as it is admitted, the property shall be sold and the title of the purchaser shall be good for all purposes, and the proceeds shall be disposable as aforesaid.

No. P. 433—Legis. 46-35-83, dated Bangalore, the 14th July 1936.

In exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation 1928 and Sections 5 and 23 (3) of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His

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For Rules 88 to 93 substitute the following :—

"Appeals and Revision.

88. The Board may, either on its own motion or on an application made in this behalf, call for and examine the record of any enquiry or the proceedings of any officer under these rules, for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer. If, in any case, it shall appear to the Board that any decision or order or proceedings so called for should be modified, annulled or reversed, the Board may pass such order thereon as it may deem fit.

89. Subject to the powers of revision vested in the Board, the order of a District Magistrate granting or refusing a permit under these rules and all orders regarding time-table and frequency of services and conditions attached to the permit and other similar matters passed by a District Magistrate shall be final.

90. In any application for revision under the foregoing rules, the Board may, pending the disposal of the application, direct the execution of the decision or order complained against to be suspended.

91. The power of the Board under any of the foregoing rules may be exercised by the Chairman or by any other member or members of the Board as may be authorised by the Chairman in this behalf.

92. The decision of the Traffic Board shall be final."

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,

General Department.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No: D. 353—Geol. 54-33-7, dated Bangalore, 17th July 1936.

Under Section 15 of the Mysore Explosives Regulation No. II of 1888, the accompanying draft of the amendments to the Mysore Explosives Rules framed under Section 4 of the said Regulation is published for the information of all persons interested. Any objections or suggestions in regard to them should be sent to the undersigned within a month from the date of issue of this notification.

By Order,

M. VENKATANARANAPPA,
Secretary to Government,
Development Department.

Draft Amendments to the Rules under the Mysore Explosives Regulation, II of 1888.

Rule 23 (e)—

Delete Rule 23 (*e*) (i) and re-number the other clauses (ii) to (ix) as (i) to (viii).

Rule 40 (3)—Page 17.—

Substitute the following for sub-rule (3).—

"(3) The fee for the amendment of a license shall be one rupee plus the difference (if any) between the fee that would have been payable if the license had originally been issued in the amended form and the fee paid for the original license:

Provided that no fee shall be chargeable in the case of amendments made to licenses in Form 'E' or Form 'EE' issued to cultivators."

Form E—Article 7 of Schedule I, Page 60.—

Column 1—Delete the words "and place of residence."

Column 2—For the words "description and quantity of explosives to be possessed during the year" substitute the words "Place of residence."

Add the following as condition 2.—

"The licensee shall keep a register of all receipts and issues in such form as the Government may from time to time direct. He shall exhibit his stock and register to any Magistrate or to any Police Officer duly empowered in this behalf, whenever such Magistrate or Officer may call upon him so to do."

Omit the existing proviso to condition 2, viz.—

"Provided that 30 lbs. of gunpowder and 10 lbs. of any other explosive and 100 detonators may be kept inside a dwelling house or in any building other than as last aforesaid in a receptacle exclusively appropriated to keeping explosives"

and re-number the subsequent conditions serially.

Article 8—Schedule I—Page 38.—

In Article 8 for the entries in the 2nd and 4th columns the following shall be substituted :—

(i) In the 2nd column for the letter 'E' the letters 'EE' shall be substituted.

(ii) In the 4th column for the words "one hundred pounds of gunpowder" the words "thirty pounds of gunpowder" shall be substituted.

Article 8—Schedule I—Page 63.—

Insert the appended Form as—"EE."

Rule 49—sub-rule (3)—Proviso—Page 19.—

In the proviso to sub-rule (3) of Rule 49, the word and letters "or 'EE'" shall be inserted after the letter 'E'.

Rule 53—Page 20.—

In Rule 53 the words "one rupee" shall be substituted for "eight annas" occurring in line 4.

Rule 57—Page 21.—

After sub-rule (2) the following shall be inserted as sub-rule (3).—

"(3) The fee chargeable on such permit shall be two rupees."

Rule 59—Page 22.—

Add the following as Rule 59-A :—

"59-A. A fee of one rupee shall be charged on a permit granted under Rule 58 or 59."

SCHEDULE I.

Page 37—Article 1—Column 6.—

In Article 1, for the letters and figures "Rs. 5" in column 6, the letters and figures "Rs. 10" shall be substituted.

Article 3—Column 6.—

In Article 3 for the entry in column 6, the following shall be substituted, namely :—

	Rs.	a.
"Covering the maximum quantity of explosives allowed or any less quantity exceeding one-half such maximum	30	0

		Rs.	a.
Covering half such maximum or any less quantity exceeding one-fourth	....	15	0
Covering one-fourth such maximum or any less quantity"	....	5	0

Article 4—Column 6.—

In Article 4, for the entry in column 6, the following shall be substituted:—

"Covering the maximum quantity of explosives allowed or any less quantity exceeding one-half such maximum	....	15	0
Covering half such maximum or any less quantity exceeding one-fourth	....	7	8
Covering one-fourth such maximum or any less quantity"	....	2	8

Article 5—Column 6.—

In Article 5, for the entry in column 6, the following shall be substituted, namely :—

"Covering the maximum quantity of explosives allowed or any less quantity exceeding one-half such maximum	....	5	0
Covering half such maximum or any less quantity exceeding one-fourth	....	2	8
Covering one-fourth such maximum or any less quantity"	....	1	0

Article 6—Column 6.—

In Article 6, for the entry in column 6, the following shall be substituted, namely :—

"Half the fees chargeable on the same explosive in the same quantity in Articles 3, 4 and 5, respectively."

Article 7—Column 6.—

In Article 7, for the entry in column 6, the following shall be substituted, namely :—

"Free of charge to cultivators but Rs. 3 from contractors and other persons."

Article 8—Column 6.—

In Article 8, for the entry in column 6, the following shall be substituted, namely :—

"Free of charge to cultivators but Rs. 2 from contractors and other persons."

Articles 11 to 16—Page 40.—

In Articles 11 to 16, for the entries in column 6, the following shall be substituted, namely :—

"Rs. 7—8.
„ 22—8.
„ 30—0.
„ 7—8.
„ 10—0.
„ 30—0."

Article 15—Column 4.—

In Article 15, for the entry in column 4, the following shall be substituted, namely :—

"Any explosive covered by the license granted under Article 12 or 13 in any quantity."

Contents Sheet—Page (iii) and Heading in middle of Page 21.

"The words 'to be granted free of cost' occurring in the heading to Rules 57 to 59 shall be deleted."

SCHEDULE II—Forms.

(i) In Form C, for the words and brackets "(Fee— Eight Annas in Stamps)" the words and brackets "(Fee— Rupees in Stamps)" shall be substituted.

(ii) In Form E, for the words and brackets—

"(Free of charge)" the words and brackets (Free of charge to cultivators) / (Fee—Three Rupees "in Stamps from contractors and other persons)" shall be substituted.

(iii) In Form F, for the words and brackets—

"(Fee—Five Rupees in Stamps)" the words and brackets "(Fee— Seven Rupees and Eight Annas in Stamps)" shall be substituted.

(iv) In Form J, for the words and brackets—

"(Fee $\frac{\text{Fifteen}}{\text{Twenty}}$ Rupees in Stamps)," the words and brackets "(Fee $\frac{\text{Twenty-two Rupees and Eight Annas}}{\text{Thirty Rupees}}$ in Stamps)" shall be substituted.

(v) In Form K, for the words and brackets—

"(Fee— Five Rupees in Stamps)" the words and brackets "(Fee — Seven Rupees and Eight Annas / Ten Rupees in shall be substituted.

(vi) In Form L, for the words and brackets—

"(Fee—Rupees Twenty in Stamps)," the words and brackets "(Fee—Thirty Rupees in Stamps)" Stamps)" psshall be substituted.

C. E. SURYANARAYANA RAU,
Chief Inspector of Mines and Explosives in Mysore.

Oorgaum, 21st March 1934.

FORM EE.

(ARTICLE 8 OF SCHEDULE I).

(Free of charge to cultivators for agricultural purposes)
(Fee—Two Rupees in Stamps for non-agricultural purposes)

LICENSE TO POSSESS GUNPOWDER REQUIRED FOR BLASTING PURPOSES.

(Granted by the District Magistrate or any Magistrate of the First Class or any Magistrate of the Second Class specially authorised by the District Magistrate in this behalf) : –

Name, etc. of License	Place of residence	Place with full details, where gunpowder is to be possessed	Maximum quantity of gunpowder (not exceeding 30 lbs.) to be kept at any one time	Date on which license expires

(Seal)

.....District (Signature)
Dated.....193 . *of District Magistrate.*

CONDITIONS.

1. This license is granted subject to the provisions of the Mysore Explosives Regulation, II of 1888, and Rules thereunder.

2. The gunpowder shall be kept, within a building, in a substantial case, strong close-knit double canvas or cloth bag, canister or other receptacle made and closed so as to prevent the gunpowder from

escaping and unauthorised persons from having access thereto, and secured from danger from without.

3. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the gunpowder and from any room or part of a building, fireproof safe or receptacle containing the same and no person entering such room or part of any building or such safe or receptacle shall have any iron or steel in his posssesion or attached to or on his boots or shoes.

4. The receptacle in which the gunpowder is kept shall not have any exposed iron or steel in the interior thereof.

5. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature :—

(*a*) the name and address of the person who takes delivery of the articles purchased ;

(*b*) the nature and amount of the articles purchased ; and

(*c*) the date of purchase.

6. All losses, shortage of stock or thefts of gunpowder shall be reported without delay to the nearest Police Station.

The Licensee shall observe the following precautions in carrying out blasting operations.

7. All blasting operations should as far as possible be conducted by a certified blaster.

8. During the preparation of charges and the charging of holes and while explosives are being handled, smoking should be strictly prohibited. All lights should be removed to a safe distance.

9. In charging or stemming holes, the use of any iron or steel tool, scraper or rod is prohibited.

10. Even with wooden or copper implements the charge should be pressed home gently in the borehole, and never rammed with any force that may result in dangerous friction.

11. No more than six holes at a time in a place exceeding 60 sq. feet and not more than four holes in smaller area, should be fired in the same round ; the number to be reduced in the case of deep narrow wells.

12. The number of shots which explode must be counted independently by at least two persons, one of whom should be the blaster. Unless both are certain that all the charges have exploded, the working place must not be re-entered until the place is free from noxious gases.

13. After blasting has taken place the blaster or person in charge of the working place, should be the first to re-enter the place and until he has pronounced that there was no misfire and that the place is sufficiently free from fumes, he should not permit any other person to enter except for the purpose of making it safe.

14. Before drilling is commenced, all loose rock must be removed from the working face and if any sockets or portions of holes which have not broken are found, they should be securely plugged with wooden plugs of which a supply should always be provided.

15. In the event of a misfire (or charge failing to explode properly) having occurred or being suspected, the blaster should be the first to re-enter the working place. He should search for the misfire

and, if necessary, may have the place cleaned up for the purpose; but he should permit no other work.

16. Boaring out or deepening holes once charged or withdrawing a charge either before firing or after misfire, must not be attempted.

17. The person in charge of the working place should point out the position and direction of every new hole to be drilled and should be responsible that the drillers do not deviate therefrom. The greatest care should be taken to see that new hole is bored in such a direction that it can come in dangerous proximity to any old hole or socket in which explosives have previously been charged.

18. A fuse which has apparently missed or is hanging fire should not be approached for at least half an hour.

19. The rate of burning of fuse employed should be determined beforehand and requisite lengths of approved quality should be used.

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BANGALORE, THURSDAY, JULY 30, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 653—Legis. 46-35-86, dated Bangalore, the 23rd July 1936.

Refund of Taxes on Motor Vehicles.

The Government of His Highness the Maharaja of Mysore are pleased to direct that the following sub-clause (d) be added to Clause (d) of Rule 24 of the Mysore Motor Vehicles Tax Rules, Part I :—

"(d) or the vehicles being purchased in the course of the quarter and thus used during only a part of the quarter."

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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BANGALORE, THURSDAY, AUGUST 13, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 1085—Pol. 199-35-4, dated Bangalore, the 6—10th August 1936.

In exercise of the power conferred by Sections 12 and 22 of the Mysore Arms Regulation, 1890 (VI of 1890), the Government of His Highness the Maharaja are pleased to direct that the following further amendments be made to the Mysore Arms Rules 1926, namely :—

1. In Sub-Rule 3 of Rule 9, for the words and figures commencing from "Rifles of ·303 or of ·450 bore and for pistols and revolvers of ·441, ·455 or any intermediate bore" the following words and figures shall be substituted :—

"Rifles of ·303 or of .450 bore, for muskets of ·410 bore and for pistols and revolvers of ·441, ·455 or any intermediate bore."

2. For Clause (i) and (ii) of the proviso to Sub-Rule (1) of Rule 13, the following clauses shall be substituted namely :—

(i) No license shall be granted for the possession of rifles of ·303 or ·450 or muskets of ·410 bore or of pistols or of revolvers of ·441, ·455 or any intermediate bore or of ammunition for the same or for going armed with such rifles, muskets, pistols or revolvers unless such rifles, muskets, pistols or revolvers or such ammunition have been lawfully imported into Mysore.

(ii) No license shall be granted in respect of balled ammunition for rifles, muskets, pistols or revolvers of such bores unless the authority granting the license is satisfied that such rifles or musket is lawfully possessed by the owner thereof for sporting purposes or that such pistol or revolver has been lawfully imported into Mysore, as the case may be, and the amount of balled ammunition which such licensee may possess during the period of 12 months next ensuing shall be entered in the license.

4. In Schedule 1 to the said rules for clause (*d*) in each of the entries in the second column relating to items 1 to 4, 6 (*a*) and (1) and 13, the following clause shall be substituted, namely :—

(*d*) Rifles of ·303 or ·450 bore or of musket of ·410 bore or of revolvers and pistols of ·441, ·455 or any intermediate bore (and ammunition which can be fired from the same) not lawfully imported into Mysore.

By Order,

B. T. KESAVIENGAR,
Offg. *Chief Secretary to Government.*

Order No. P. 846—Legis. 7-36-1, dated 31st July 1936.

Ordered that the accompanying Regulation to amend the Workmen's Compensation Regulation, 1928, which received the assent of His Highness the Maharaja, on the fourteenth day of July 1936, be published as Regulation No. III of 1936, in the *Mysore Gazette*, for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION III OF 1936.

(Received the assent of His Highness the Maharaja on the 14th day of July 1936.)

Regulation to amend the Workmen's Compensation Regulation, No. XIV of 1928.

WHEREAS it is expedient to amend the Workmen's Compensation Regulation, No. XIV of 1928; It is hereby enacted as follows:—

1. This Regulation shall be called the Workmen's Compensation (Amendment) Regulation, 1936. Short title.

2. In section 2 of the Workmen's Compensation Regulation, 1928 (hereinafter referred to as the said Regulation),— Amendment of Section 2.

(*a*) in sub-section (1):—

(i) the following shall be substituted for the existing clause (*d*):—

"(*d*) "dependant" means any of the following relatives of a deceased workman, namely—

(i) a wife, a minor legitimate son, a minor adopted son and unmarried legitimate daughter, or a widowed mother; and

(ii) if wholly or in part dependent on the earnings of the workman at the time of his death, a husband, a parent other than a widowed mother, a minor illegitimate son, an unmarried illegitimate daughter, a daughter legitimate or illegitimate if married and a minor or if widowed, a minor brother, an unmarried or widowed sister, a widowed daughter-in-law, a minor child of a deceased son, or, where no parent of the workman is alive, a paternal grandparent."

(ii) in sub-clause (ii) of clause (*l*) the words "either by way of manual labour or" shall be omitted.

(*b*) for sub-section (3), the following shall be substituted :—

"The Government, after giving, by notification in the Official Gazette, not less than three months' notice of its intention so to do, may, by a like notification, add to Schedule II any class of persons employed in any occupation which it is satisfied is a hazardous occupation, and the provisions of this Regulation shall thereupon apply to such classes of persons :

Provided that in making such additions the Government may direct that the provisions of this Regulation shall apply to such classes of persons in respect of specified injuries only."

Amendment of Section 3.

3. In section 3 of the said Regulation,—

(*a*) in sub-section (1):—

(i) in proviso (*a*) for the word 'ten' the word 'seven' shall be substituted;

(ii) in proviso (*b*) for the words "injury to a workman resulting from" the words "injury, not resulting in death, caused by" shall be substituted; and

(iii) the word 'or' of proviso (*b*) at the end of sub-clause (iii) and the whole of proviso (*c*) shall be omitted;

(*b*) in sub-section (2) for the words "hides or skins" the following shall be substituted, namely :—"or animal carcasses or parts of such carcasses, or in the loading, unloading or transport of any merchandise, or in any work in connection with animals infected with anthrax;" and

(*c*) after sub-section 2 add the following as sub-section (2A) :—

"(2A) Notwithstanding anything contained in sub-section (1), a right to compensation in respect of any occupational disease specified in Schedule III shall be conditional on compliance with such requirements as may be prescribed in regard to medical examination of workmen and autopsy on the body of deceased workmen."

(*d*) in sub-section (4) the words "solely and" shall be omitted.

Amendment of Section 4.

4. In sub-section (1) of section 4 of the said Regulation,—

(*a*) for clause (i) under A, the following shall be substituted :—

"(i) in the case of an adult in receipt of monthly wages falling within limits shown in the first column of Schedule IV—the amount shown against such limits in the second column thereof, and";

(*b*) for clauses (i) and (ii) under B, the following shall be substituted :—

"(i) in the case of an adult in receipt of monthly wages falling within limits shown in the first column of Schedule IV—the amount shown against such limits in the third column thereof, and

(ii) in the case of a minor—twelve hundred rupees;"

(*c*) (i) in D, for the words "ten days" the words "seven days" shall be substituted; and

(ii) for clauses (i) and (ii) and the proviso under D, the following shall be substituted :—

"(i) in the case of an adult in receipt of monthly wages falling within limits shown in the first column of Schedule IV—of the sum shown against such limits in the fourth column thereof, and

(ii) in the case of a minor—of one-half of his monthly wages, subject to a maximum of thirty rupees :

Provided that (*a*) there shall be deducted from any lumpsum or half-monthly payments to which the workman is entitled, the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of such lumpsum or the first half-monthly payment, as the case may be; and

(*b*) no half-monthly payment shall in any case exceed the amount, if any, by which half the amount of the monthly wages of the workman before the accident exceeds half the amount of such wages which he is earning after the accident."

Amendment of Section 5.

5. In section 5 of the said Regulation,—

"for the words 'For the purpose of section 4, the monthly wages of a workmen' the words "In this Regulation, monthly wages mean the wages of a workman, by whatever period paid, and' shall be substituted."

(ii) after clause (*a*) the following clause shall be inserted, *viz.*,—

"(*b*) where the whole of the continuous period of service immediately preceding the accident during which

the workman was in the service of the employer who is liable to pay the compensation was less than one month, the monthly wages of the workman shall be deemed to be the average monthly amount which, during the twelve months immediately preceding the accident, was being earned by a workman employed on the same work by the same employer, or, if there was no workman so employed, by a workman employed on similar work in the same locality;"

(iii) clause (*b*) shall be re-lettered as clause (*c*), and

(iv) the proviso shall be omitted.

Amendment of Section 8.

6. In section 8 of the said Regulation:—

(*a*) for sub-sections (1) to (3), the following sub-sections shall be substituted, namely:—

"(1) No payment of compensation in respect of a workman whose injury has resulted in death, and no payment of a lumpsum as compensation to a woman or a person under a legal disability, shall be made otherwise than by deposit with the Commissioner, and no such payment made directly by an employer shall be deemed to be a payment of compensation:

Provided that, in the case of a deceased workman, an employer may make to any dependant advances on account of compensation not exceeding an aggregate of fifty rupees, and so much of such aggregate as does not exceed the compensation payable to that dependant shall be deducted by the Commissioner from such compensation and repaid to the employer.

(2) Any other sum amounting to not less than ten rupees which is payable as compensation may be deposited with the Commissioner on behalf of the person entitled thereto.

(3) The receipt of the Commissioner shall be a sufficient discharge in respect of any compensation deposited with him;" and

(*b*) in sub-section (4) (i) after the words "under sub-section (1)" the words "as compensation in respect of a deceased workman" shall be inserted,

(ii) the words "shall deduct" shall be substituted for the words "may deduct," and

(iii) the word "twenty-five" shall be substituted for the word "fifty;"

(*c*) for sub-section (5), the following sub-sections shall be substituted, namely:—

"(5) Compensation deposited in respect of a deceased workman shall, subject to any deduction made under sub-section (4), be apportioned among the dependants of the deceased workman or any of them in such proportion as the Commissioner thinks fit, or may, in the discretion of the Commissioner, be allotted to any one dependant.

(6) Where any compensation deposited with the Commissioner is payable to any person, the Commissioner shall, if the person to whom the compensation is payable is not a woman or a person under a legal disability, and may, in other cases, pay the money to the person entitled thereto.

(7) Where any lumpsum deposited with the Commissioner is payable to a woman or a person under legal disability, such sum may be invested, applied or otherwise dealt with for the benefit of the woman, or of such person during his disability, in such manner as the Commissioner may direct; and where a half-monthly payment is payable to any person under a legal disability, the Commissioner may, of his own motion or on an application made to him in this behalf, order that the payment be made during the disability to any dependant of the workman or to any other person whom the Commissioner thinks best fitted to provide for the welfare of the workman;" and

(*d*) sub-section (6) shall be re-numbered as sub-section (8); and

(*e*) after that sub-section the following sub-section shall be added, namely:—

"(9) Where the Commissioner varies any order under sub-section (8) by reason of the fact that payment of compensation to any person has been obtained by fraud, impersonation or other improper means, any amount so paid to or on behalf of such person may be recovered in the manner hereinafter provided in section 30."

7. In section 10 of the said Regulation,— Amendment of Section 10.

(*a*) in sub-section (1), after the first proviso the following further proviso shall be inserted, namely:—

"Provided further that the want of or any defect or irregularity in a notice shall not be a bar to the maintenance of proceedings—

(*a*) if the claim is made in respect of the death of a workman resulting from an accident which occurred on

the premises of the employer, or at any place where the workman at the time of the accident was working under the control of the employer or of any person employed by him, and the workman died on such premises or at such place, or on any premises belonging to the employer, or died without having left the vicinity of the premises or place where the accident occurred, or

(*b*) if the employer had knowledge of the accident from any other source at or about the time when it occurred ;" and

(*b*) for sub-section (3) the following sub-sections shall be substituted, namely :—

" (3) The Government may require that any prescribed class of employers shall maintain at their premises at which workmen are employed a notice-book, in the prescribed form, which shall be readily accessible at all reasonable times to any injured workman employed on the premises and to any person acting *bona fide* on his behalf.

(4) A notice under this section may be served by delivering it at, or sending it by registered post addressed to, the residence or any office or place of business of the person on whom it is to be served, or, where a notice-book is maintained, by entry in the notice-book."

Insertion of new Sections 10 A and 10B.

8. After section 10 of the said Regulation, the following sections shall be inserted, namely :—

Power to require from employers statements regarding fatal accidents.

" 10A. (1) Where a Commissioner receives information from any source that a workman has died as a result of an accident arising out of and in the course of his employment, he may send by registered post a notice to the workman's employer requiring him to submit, within thirty days of the service of the notice, a statement, in the prescribed form, giving the circumstances attending the death of the workman, and indicating whether, in the opinion of the employer, he is or is not liable to deposit compensation on account of the death.

(2) If the employer is of opinion that he is liable to deposit compensation, he shall make the deposit within thirty days of the service of the notice.

(3) If the employer is of opinion that he is not liable to deposit compensation, he shall in his statement indicate the grounds on which he disclaims liability.

(4) Where the employer has so disclaimed liability, the Commissioner, after such inquiry as he may think fit, may inform any of the dependants of the deceased

workman that it is open to the dependants to prefer a claim for compensation, and may give them such other further information as he may think fit.

Reports of fatal accidents.

10B. (1) Where, by any law for the time being in force, notice is required to be given to any authority, by or on behalf of an employer, of any accident occurring on his premises which results in death, the person required to give the notice shall, within seven days of the death, send a report to the Commissioner giving the circumstances attending the death:

Provided that where the Government has so prescribed, the person required to give the notice may instead of sending such report to the Commissioner send it to the authority to whom he is required to give the notice.

(2) The Government may, by notification in the Official Gazette, extend the provisions of sub-section (1) to any class of premises other than those coming within the scope of that sub-section, and may, by such notification, specify the persons who shall send the report to the Commissioner."

Amendment of Section 12.

9. In sub-section (2) of section 12 of the said Regulation after the words "the contractor" the following words shall be inserted:—

"or any other person from whom the workman could have recovered compensation and where a contractor who is himself a principal is liable to pay compensation or to indemnify a principal under this section he shall be entitled to be indemnified by any person standing to him in the relation of a contractor from whom the workman could have recovered compensation."

Insertion of new Section 17 A.

10. In Chapter II and after section 17 of the said Regulation, the following section shall be inserted, namely:—

Penalties

"17A. (1) Whoever—

(*a*) fails to maintain a notice-book which he is required to maintain under sub-section (3) of section 10, or

(*b*) fails to send to the Commissioner a statement which he is required to send under sub-section (1) of section 10A, or

(*c*) fails to send a report which he is required to make under section 10B, or

(*d*) fails to make a return which he is required to make under section 15, shall be punishable with fine which may extend to one hundred rupees.

(2) No prosecution under this section shall be instituted except by or with the previous sanction of a Commissioner, and no Court shall take cognizance of any offence under this section, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed."

Amendment of Section 18.

11. In sub-section (1) of section 18 of the said Regulation, for the words 'the Commissioner' the words 'a Commissioner' shall be substituted.

Amendment of Section 19.

12. In section 19 of the said Regulation,—

(*a*) after sub-section (1) the following sub-section shall be inserted, namely :—

"(2) Where more than one Commissioner has been appointed for any local area, the Government may, by general or special order, regulate the distribution of business between them ;" and

(*b*) sub-sections (2) and (3) shall be re-numbered as sub-sections (3) and (4).

Amendment of Section 20.

13. In section 20 of the said Regulation,—

(*a*) in sub-section (1), for the words "the Commissioner" the words "a Commissioner" shall be substituted ; and

(*b*) after sub-section (4) the following sub-section shall be added, namely :—

"(5) The Government may transfer any matter from any Commissioner appointed by it to any other Commissioner appointed by it."

Amendment of Section 21.

14. In section 21 of the said Regulation,—

(*a*) in sub-section (1) after the word "Commissioner" a comma and the words "other than an application by a dependant or dependants for compensation," shall be inserted ; and

(*b*) in sub-section (2),

(i) for the words "Where any such question has arisen, the application," the words "An application to a Commissioner" shall be substituted, and

(ii) for clause (*d*) the following shall be substituted, namely :—

"except in the case of an application by dependants for compensation a concise statement of the matters on which agreement has and of those on which agreement has not been come to."

15. After section 21 of the said Regulation, the following section shall be inserted, namely :— Insertion of new Section 21 A.

"21A." (1) Where any sum has been deposited by an employer as compensation payable in respect of a workman whose injury has resulted in death, and in the opinion of the Commissioner such sum is insufficient, the Commissioner may, by notice in writing stating his reasons, call upon the employer to show cause why he should not make a further deposit within such time as may be stated in the notice. Power of Commissioner to require further deposit in cases of fatal accidents.

(2) If the employer fails to show cause to the satisfaction of the Commissioner, the Commissioner may make an award determining the total amount payable, and requiring the employer to deposit the deficiency."

16. In section 22 after the word "objects" the following words shall be added, namely :— Amendment of Section 22.

"and the Commissioner shall be deemed to be a Civil Court for all the purposes of section 195 and of Chapter XXXV of the Code of Criminal Procedure, 1904."

17. In sub-section (1) of section 27 of the said Regulation,— Amendment of Section 27.

(*a*) for the words "to a person under a legal disability or to a dependant" the words "to a woman or a person under a legal disability" shall be substituted;

(*b*) clause (*b*) of the proviso shall be omitted;

(*c*) in clause (*d*) of the proviso,

(i) for the words "to a person under any legal disability or to any dependant," the words "to a woman or a person under a legal disability" shall be substituted, and

(ii) for the words "or may make such order" the words "and may make such order" shall be substituted.

18. To sub-section (1) of section 29 of the said Regulation, after the existing provisos the following further proviso shall be added, namely :— Amendment of Section 29.

"Provided further that no appeal by an employer under clause (*a*) shall lie unless the memorandum of appeal is accompanied by a certificate by the Commissioner to the effect that the appellant has deposited with him the amount payable under the order appealed against."

Insertion of new Section 29 A.

19. After section 29 of the said Regulation, the following section shall be inserted, namely :—

Withholding of certain payments pending decision of appeal.

"29A. Where an employer makes an appeal under clause (*a*) of sub-section (1) of section 29, the Commissioner may, and if so directed by the High Court shall, pending the decision of the appeal, withhold payment of any sum in deposit with him."

Amendment of Section 31.

20. In sub-section (2) of section 31 of the said Regulation, after clause (*k*) the following clauses shall be inserted, namely :—

"(*l*) for prescribing the classes of employers who shall maintain notice books under sub-section (3) of section 10 and the form of such notice books;

(*m*) for prescribing the form of statement to be submitted by employers under section 10A;

(*n*) for prescribing the cases in which the report referred to in section 10B may be sent to an authority other than the Commissioner, and

(*o*) generally for carrying on all or any of the purposes of this Regulation."

Insertion of new Section 32 A.

21. After section 32 of the said Regulation, the following section shall be inserted, namely :—

"32A. The Government may by notification in the Official Gazette make rules for the transfer to any part of British India or other States in India of money paid to a Commissioner under this Regulation for the benefit of any person residing or about to reside in such part and for the receipt and administration in Mysore of any money awarded under the law relating to workmen's compensation in any such part and applicable for the benefit of any person residing or about to reside in Mysore."

Substitution of a new Schedule II for existing Schedule.

22. For Schedule II of the said Regulation, the following shall be substituted :—

"SCHEDULE II.

The following persons are workmen within the meaning of section 2 (I) (i) and subject to the provisions of that section, that is to say, any person who is—

(i) employed, otherwise than in a clerical capacity or on a railway, in connection with the operation or maintenance of mechanically propelled vehicles used for the carriage of passengers for hire or for industrial or commercial purposes; or,

(ii) employed within the meaning of clause (2) of section 2 of the Mysore Factories Regulation, 1914, in any place which is a factory within the meaning of sub-clause (*a*) of clause (3) of that section ; or

(iii) employed for the purpose of making, altering, repairing, ornamenting, finishing or otherwise adapting for use, transport or sale any article or part of an article in any premises wherein or within the precincts whereof on any one day of the preceding twelve months, fifty or more persons have been so employed ; or

(iv) employed in the manufacture or handling of explosives in any premises wherein, or within the precincts whereof, on any one day of the preceding twelve months, ten or more persons have been so employed ; or

(v) employed in any mine which is subject to the operation of the Mysore Mines Regulation, 1906 ;

Explanation.—A person is said to be " employed " in a mine who works under appointment by or with the knowledge of the manager, whether for wages or not, in any mining operation, or in cleaning, or oiling any part of any machinery used in or about the mine, or in any other kind of work whatsoever incidental to, or connected with, mining operations.

Or

(vi) employed in the construction, repair or demolition of—

(*a*) any building which is designed to be or is or has been more than one storey in height above the ground or twenty feet or more from the ground level to the apex of the roof ; or

(*b*) any dam or embankment which is twenty feet or more in height from its lowest to its highest point ; or

(*c*) any road, bridge, or tunnel ; or

(vii) employed in setting up, repairing, maintaining, or taking down any telephone line or post or any overhead electric line or cable or post or standard for the same ; or

(viii) employed, otherwise than in a clerical capacity, in the construction, working, repair or demolition of any aerial ropeway, canal, pipe-line, or sewer ; or

(ix) employed in the service of any fire brigade ; or

(x) employed upon a railway as defined in clause (4) of section 3, and in sub-section (1) of Section 129 of the Mysore Railways Regulation, 1894, either directly

or through a sub-contractor, by a person fulfilling a contract with the railway administration ; or

(xi) employed, otherwise than in a clerical capacity, in connection with operations for winning natural petroleum or natural gas ; or

(xii) employed in any occupation involving blasting operations ; or

(xiii) employed in the making of any excavation in which on any one day of the preceding twelve months more than fifty persons have been employed or explosives have been used, or whose depth from its highest to its lowest point exceeds twenty feet ; or

(xiv) employed in the operation of any ferry boat capable of carrying more than ten persons ; or

(xv) employed, otherwise than in a clerical capacity, on any estate which is maintained for the purpose of growing coffee, rubber or tea, and on which on any one day in the preceding twelve months twenty-five or more persons have been so employed; or

(xvi) employed, otherwise than in a clerical capacity, in the generating, transforming or supplying of electrical energy or in the generating or supplying of gas ; or

(xvii) employed in producing cinematograph pictures intended for public exhibition or in exhibiting such pictures ; or

(xviii) employed in the training, keeping or working of elephants or wild animals ; or

(xix) employed as a diver.

Explanation.—In this Schedule 'the preceding twelve months' relates in any particular case to the twelve months ending with the day on which the accident in such case occurred. "

Amendment of Schedule III.

23. In Schedule III to the said Regulation after the entry relating to phosphorus poisoning, the following entries shall be added, namely :—

" Mercury poisoning or its sequelæ.	Any process involving the use of mercury or its preparations or compounds.
Poisoning by benzene and its homologues, or the sequelæ of such poisoning.	Handling benzene or any of its homologues and any process in the manufacture or involving the use of benzene or any of its homologues.
Chrome ulceration or its sequelæ.	Any process involving the use of chromic acid or bichromate of ammonium, potassium or sodium, or their preparations.

Compressed air illness or its sequelæ.	Any process carried on in compressed air.
Miners' phthisis or silicosis,	Any occupation wherein the mineral dust is such as to cause silicosis.
Cyanide rash ...	The handling of cyanide or any work involving the use of cyanide. "

24. For Schedule IV to the said Regulation, the following shall be substituted :— Substitution of new Schedule for existing Schedule IV.

"SCHEDULE IV.

(See Section 4.)

Compensation Payable in certain Cases.

Monthly wages of the workman injured		Amount of compensation for		Half-monthly payment as compensation for temporary disablement of adult
		Death of adult	Permanent total disablement of adult	
More than	But not more than			
Rs.	Rs.	Rs.	Rs.	Rs. a.
0	10	500	700	Half his monthly wages
10	15	550	770	5 0
15	18	600	840	6 0
18	21	630	882	7 0
21	24	720	1,008	8 0
24	27	810	1,134	8 8
27	30	900	1,260	9 0
30	35	1,050	1,470	9 8
35	40	1,200	1,680	10 0
40	45	1,350	1,890	11 4
45	50	1,500	2,100	12 8
50	60	1,800	2,520	15 0
60	70	2,100	2,940	17 8
70	80	2,400	3,360	20 0
80	100	3,000	4,200	25 0
100	200	3,500	4,900	30 0
200	...	4,000	5,600	30 0

MIRZA M. ISMAIL,
Dewan.

Order No. P. 849—Legis. 8-36-1, dated Bangalore, 31st July 1936.

Ordered that the accompanying Regulation further to amend the Mysore Land Revenue Code, 1888, which received the assent of His Highness the Maharaja, on the fourteenth day of July 1936, be published as Regulation No. IV of 1936, in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION IV OF 1936.

(Received the assent of His Highness the Maharaja on the fourteenth day of July 1936.)

Regulation further to amend the Mysore Land Revenue Code, 1888.

Whereas it is expedient to further amend the Mysore Land Revenue Code, 1888; It is hereby enacted as follows:—

After Section 180 of the said Regulation, the following section shall be added as Section 180 A.—

Addition of a new Section 180 A.

"180A. Notwithstanding anything contained in Sections 179 and 180, the party entitled to the payment of the money for the recovery of which a sale of immovable property is held may apply to the Deputy Commissioner for permission to purchase such property which may be granted subject to such rules as may be prescribed by the Government in this behalf, and where a party purchases with such permission, the purchase money due by him and the amount for the recovery of which the sale is held may be set off against one another."

MIRZA M. ISMAIL,
Dewan.

Order No. P. 850—Legis. 11-36-1, Bangalore, dated 31st July 1936.

Ordered that the accompanying Regulation further to amend the Mysore Registration Regulation, 1903, which received the assent of His Highness the Maharaja, on the fourteenth day of July 1936, be published as Regulation No. VII of 1936 in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION VII OF 1936.

(Received the assent of His Highness the Maharaja on the fourteenth day of July 1936.)

Regulation further to amend the Mysore Registration Regulation, 1903.

Whereas it is expedient further to amend the Mysore Registration Regulation, 1903, it is hereby enacted as follows :—

1. This Regulation may be called the Mysore Registration (Amendment) Regulation, 1936.

2. It shall come into force on the first day of September 1936.

3. The following shall be added as sub-sections (3) and (4) of Section 12, the two paragraphs in the section as it stands at present being numbered as Sub-Sections (1) and (2).

"(3) A Registrar may, by order in writing and subject to such restrictions as the Government may impose, suspend or fine any Sub-Registrar subordinate to him. Any Sub-Registrar aggrieved by an order of the Registrar under this section may, within 30 days of the date of the order, appeal to the Inspector-General of Registration whose orders in appeal shall be final.

"(4) Notwithstanding anything contained in this section, Government may call for and examine the records of the proceedings under sub-sections (2) and (3) of the

Inspector-General of Registration or of any Registrar for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and if in any case it shall appear to the Government that any decision or order should be modified, annulled or reversed, Government may pass such orders as it deems fit."

MIRZA M. ISMAIL,
Dewan.

Order No. P. 851—Legis. 10-36-1, dated 31st July 1936.

Ordered that the accompanying Regulation to define and amend the law relating to partnership which received the assent of His Highness the Maharaja on the fourteenth day of July 1936 be published as Regulation No. VI of 1936 in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION VI OF 1936.

(Received the assent of His Highness the Maharaja on the fourteenth day of July 1936.)

Regulation to define and amend the Law relating to Partnership.

Whereas it is expedient to define and amend the law relating to partnership; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Partnership Regulation, 1936.

(2) It extends to the whole of Mysore.

(3) It shall come into force on 1st day of January 1937.

Definitions.

2. In this Regulation unless there is anything repugnant in the subject or context,—

(*a*) an "act of a firm" means any act or omission by all the partners, or by any partner or agent of the firm which gives rise to a right enforceable by or against the firm;

(*b*) "business" includes every trade, occupation and profession;

(*c*) "prescribed" means prescribed by rules made under this Regulation;

(*d*) "third party" used in relation to a firm or to a partner therein means any person who is not a partner in the firm; and

(*e*) expression used but not defined in this Regulation and defined in the Indian Contract Act, 1872, as in force in Mysore, shall have the meanings assigned to them in that Act.

Application of provisions of Act IX of 1872 as in force in Mysore.

3. The unrepealed provisions of the Indian Contract Act, 1872, as in force in Mysore, save in so far as they are inconsistent with the express provisions of this Regulation, shall continue to apply to firms.

CHAPTER II.

THE NATURE OF PARTNERSHIP.

Definition of "partnership." "partner," "firm" and "firm name."

4. "Partnership" is the relation between persons who have agreed to share the profits of a business carried on by all or any of them acting for all.

Persons who have entered into partnership with one another are called individually "partners" and collectively "a firm," and the name under which their business is carried on is called the "firm name."

Partnership not created by status

5. The relation of partnership arises from contract and not from status;

and, in particular, the members of a Hindu undivided family carrying on a family business as such, are not partners in such business.

Mode of determining existence of partnership.

6. In determining whether a group of persons is or is not a firm, or whether a person is or is not a partner in

a firm, regard shall be had to the real relation between the parties, as shown by all relevant facts taken together.

Explanation 1.—The sharing of profits or of gross returns arising from property by persons holding a joint or common interest in that property does not of itself make such persons partners.

Explanation 2.—The receipt by a person of a share of the profits of a business, or of a payment contingent upon the earning of profits or varying with the profits earned by a business, does not of itself make him a partner with the persons carrying on the business,

and, in particular, the receipt of such share or payment—

(*a*) by a lender of money to persons engaged or about to engage in any business.

(*b*) by a servant or agent as remuneration,

(*c*) by the widow or child of a deceased partner, as annuity, or

(*d*) by a previous owner or part-owner of the business, as consideration for the sale of the goodwill or share thereof,

does not of itself make the receiver a partner with the persons carrying on the business.

Partnership at will.

7. Where no provision is made by contract between the partners for the duration of their partnership, or for the determination of their partnership, the partnership is "partnership at will".

Particular partnership

8. A person may become a partner with another person in particular adventures or undertakings.

CHAPTER III.

RELATIONS OF PARTNERS TO ONE ANOTHER.

General duties of partners.

9. Partners are bound to carry on the business of the firm to the greatest common advantage, to be just and faithful to each other, and to render true accounts and full information of all things affecting the firm to any partner or his legal representative.

Duty to indemnify for loss caused by fraud.

10. Every partner shall indemnify the firm for any loss caused to it by his fraud in the conduct of the business of the firm.

11. (1) Subject to the provisions of this Regulation, the mutual rights and duties of the partners of a firm may be determined by contract between the partners, and such contract may be express or may be implied by a course of dealing. Determination of rights and duties of partners by contract between the partners.

Such contract may be varied by consent of all the partners and such consent may be express or may be implied by a course of dealing.

(2) Notwithstanding anything contained in Section 27 of the Indian Contract Act, 1872, as in force in Mysore such contracts may provide that a partner shall not carry on any business other than that of the firm while he is a partner. Agreements in restraint of trade.

12. Subject to contract between the partners— The conduct of the business.

(*a*) every partner has a right to take part in the conduct of the business;

(*b*) every partner is bound to attend diligently to his duties in the conduct of the business:

(*c*) any difference arising as to ordinary matters connected with the business may be decided by a majority of the partners, and every partner shall have the right to express his opinion before the matter is decided, but no change may be made in the nature of the business without the consent of all the partners; and

(*d*) every partner has a right to have access to and to inspect and copy any of the books of the firm.

13. Subject to contract between the partners— Mutual rights and liabilities.

(*a*) a partner is not entitled to receive remuneration for taking part in the conduct of the business;

(*b*) the partners are entitled to share equally in the profits earned, and shall contribute equally to the losses sustained by the firm;

(*c*) where a partner is entitled to interest on the capital subscribed by him such interest shall be payable only out of profits;

(*d*) a partner making, for the purposes of the business, any payment or advance beyond the amount of capital he has ageed to subscribe, is entitled to interest thereon at the rate of six per cent per annum;

(*e*) the firm shall indemnify a partner in respect of payments made and liabilities incurred by him—

(i) in the ordinary and proper conduct of the business, and

(ii) in doing such act, in an emergency, for the purpose of protecting the firm from loss, as would be done by a person of ordinary prudence, in his own case, under similar circumstances ; and

(*f*) a partner shall indemnify the firm for any loss caused to it by his wilful neglect in the conduct of the business of the firm.

The property of the firm.

14. Subject to contract between the partners, the property of the firm includes all property and rights and interests in property originally brought into the stock of the firm, or acquired, by purchase or otherwise, by or for the firm, or for the purposes and in the course of the business of the firm, and includes also the goodwill of the business.

Unless the contrary intention appears, property and rights and interests in property acquired with money belonging to the firm are deemed to have been acquired for the firm.

Application of the property of the firm.

15. Subject to contract between the partners, the property of the firm shall be held and used by the partners exclusively for the purposes of the business.

Personal profits earned by partners.

16. Subject to contract between the partners,—

(*a*) if a partner derives any profit for himself from any transaction of the firm, or from the use of the property or business connection of the firm or the firm name, he shall account for that profit and pay it to the firm ;

(*b*) if a partner carries on any business of the same nature as and competing with that of the firm, he shall account for and pay to the firm all profits made by him in that business.

17. Subject to contract between the partners,—

Rights and duties of partners after a change in the firm.

(*a*) where a change occurs in the constitution of a firm, the mutual rights and duties of the partners in the reconstituted firm remain the same as they were immediately before the change, as far as may be ;

(*b*) where a firm constituted for a fixed term continues to carry on business after the expiry of that term, the mutual rights and duties of the partners remain the same as they were before the expiry so far as they may be consistent with the incidents of partnership at will; and — After the expiry of the term of the firm, and

(*c*) where a firm constituted to carry out one or more adventures or undertakings carries out other adventures or undertakings, the mutual rights and duties of the partners in respect of the other adventures or undertakings are the same as those in respect of the original adventures or undertakings. — Where additional undertakings are carried out.

CHAPTER IV.

RELATIONS OF PARTNERS TO THIRD PARTIES.

18. Subject to the provisions of this Regulation, a partner is the agent of the firm for the purpose of the business of the firm. — Partner to be agent of the firm.

19. (1) Subject to the provisions of Section 22, the act of a partner which is done to carry on, in the usual way, business of the kind carried on by the firm, binds the firm. — Implied authority of partner as agent of the firm.

The authority of a partner to bind the firm conferred by this section is called his "implied authority".

(2) In the absence of any usage or custom of trade to the contrary, the implied authority of a partner does not empower him to—

(*a*) submit a dispute relating to the business of the firm to arbitration,

(*b*) open a banking account on behalf of the firm in his own name,

(*c*) compromise or relinquish any claim or portion of a claim by the firm.

(*d*) withdraw a suit or proceeding filed on behalf of the firm,

(*e*) admit any liability in a suit or proceeding against the firm,

(*f*) acquire immoveable property on behalf of the firm,

(*g*) transfer immoveable property belonging to the firm or,

(*h*) enter into partnership on behalf of the firm.

Extension and restriction of partner's implied authority.

20. The partners in a firm may, by contract between the partners, extend or restrict the implied authority of any partner.

Notwithstanding any such restriction, any act done by a partner on behalf of the firm which falls within his implied authority binds the firm, unless the person with whom he is dealing knows of the restriction or does not know or believe that partner to be a partner.

Partner's authority in an emergency.

21. A partner has authority, in an emergency, to do all such acts for the purpose of protecting the firm from loss as would be done by a person of ordinary prudence, in his own case, acting under similar circumstances, and such acts bind the firm.

Mode of doing act to bind firm.

22. In order to bind a firm, an act or instrument done or executed by a partner or other person on behalf of the firm shall be done or executed in the firm name, or in any other manner expressing or implying an intention to bind the firm.

Effect of admissions by a partner.

23. An admission or representation made by a partner concerning the affairs of the firm is evidence against the firm, if it is made in the ordinary course of business.

Effect of notice to acting partner.

24. Notice to a partner who habitually acts in the business of the firm of any matter relating to the affairs of the firm operates as notice to the firm, except in the case of a fraud on the firm committed by or with the consent of that partner.

Liability of a partner for acts of the firm.

25. Every partner is liable, jointly with all the other partners and also severally, for all acts of the firm done while he is a partner.

Liability of the firm for wrongful acts of a partner.

26. Where, by the wrongful act or omission of a partner acting in the ordinary course of the business of a firm, or with the authority of his partners, loss or injury is caused to any third party, or any penalty is incurred, the firm is liable therefor to the same extent as the partner.

Liability of firm for misapplication by partners.

27. Where—

(*a*) a partner acting within his apparent authority receives money or property from a third party and misapplies it, or

(*b*) a firm in the course of its business receives money or property from a third party, and the

money or property is misapplied by any of the partners while it is in the custody of the firm, the firm is liable to make good the loss.

Holding out.

28. (1) Any one who by words spoken or written or by conduct represents himself, or knowingly permits himself to be represented, to be a partner in a firm, is liable as a partner in that firm to any one who has on the faith of any such representation given credit to the firm, whether the person representing himself or represented to be a partner does or does not know that the representation has reached the person so giving credit.

(2) Where after a partner's death the business is continued in the old firm name, the continued use of that name or of the deceased partner's name as a part thereof shall not of itself make his legal representative or his estate liable for any act of the firm done after his death.

Rights of transferee of a partner's interest.

29. (1) A transfer by a partner of his interest in the firm, either absolute or by mortgage, or by the creation by him of a charge on such interest, does not entitle the transferee, during the continuance of the firm, to interfere in the conduct of the business, or to require accounts, or to inspect the books of the firm, but entitles the transferee only to receive the share of profits of the transferring partner, and the transferee shall accept the account of profits agreed to by the partners.

(2) If the firm is dissolved or if the transferring partner ceases to be a partner, the transferee is entitled as against the remaining partners to receive the share of the assets of the firm to which the transferring partner is entitled, and, for the purpose of ascertaining that share, to an account as from the date of the dissolution.

Minors admitted to the benefits of partnership.

30. (1) A person who is a minor according to the law to which he is subject may not be a partner in a firm, but, with the consent of all the partners for the time being, he may be admitted to the benefits of partnership.

(2) Such minor has a right to such share of the property and of the profits of the firm as may be agreed upon, and he may have access to and inspect and copy any of the accounts of the firm.

(3) Such minor's share is liable for the acts of the firm, but the minor is not personally liable for any such act.

(4) Such minor may not sue the partners for an account or payment of his share of the property or profits of the firm, save when severing his connection with the firm, and in such case the amount of his share shall be determined by a valuation made as far as possible in accordance with the rules contained in Section 48:

Provided that all the partners acting together or any partner entitled to dissolve the firm upon notice to other partners may elect in such suit to dissolve the firm, and thereupon the Court shall proceed with the suit as one for dissolution and for settling accounts between the partners, and the amount of the share of the minor shall be determined along with the shares of the partners.

(5) At any time within six months of his attaining majority, or of his obtaining knowledge that he had been admitted to the benefits of partnership, whichever date is later, such person may give public notice that he has elected to become or that he has elected not to become a partner in the firm, and such notice shall determine his position as regards the firm:

Provided that, if he fails to give such notice, he shall become a partner in the firm on the expiry of the said six months.

(6) Where any person has been admitted as a minor to the benefits of partnership in a firm, the burden of proving the fact that such person had no knowledge of such admission until a particular date after the expiry of six months of his attaining majority shall lie on the persons asserting that fact.

(7) Where such person becomes a partner,—

(*a*) his rights and liabilities as a minor continue up to the date on which he becomes a partner, but he also becomes personally liable to third parties for all acts of the firm done since he was admitted to the benefits of partnership, and

(*b*) his share in the property and profits of the firm shall be the share to which he was entitled as a minor.

(8) Where such person elects not to become a partner,—

(*a*) his rights and liabilities shall continue to be those of a minor under this section up to the date on which he gives public notice,

(*b*) his share shall not be liable for any acts of the firm done after the date of the notice, and

(*c*) he shall be entitled to sue the partners for his share of the property and profits in accordance with Sub-section (4).

(9) Nothing in Sub-sections (7) and (8) shall affect the provisions of Section 28.

CHAPTER V.

IN-COMING AND OUT-GOING PARTNERS.

Introduction of a partner.

31. (1) Subject to contract between the partners and to the provisions of Section 30, no person shall be introduced as a partner into a firm without the consent of all the existing partners.

(2) Subject to the provisions of Section 30, a person who is introduced as a partner into a firm does not thereby become liable for any act of the firm done before he became a partner.

Retirement of a partner.

32. (1) A partner may retire—

(*a*) with the consent of all the other partners,

(*b*) in accordance with an express agreement by the partners, or

(*c*) where the partnership is at will, by giving notice in writing to all the other partners of his intention to retire.

(2) A retiring partner may be discharged from any liability to any third party for acts of the firm done before his retirement by an agreement made by him with such third party and the partners of the reconstituted firm, and such agreement may be implied by a course of dealing between such third party and the reconstituted firm after he had knowledge of the retirement.

(3) Notwithstanding the retirement of a partner from a firm, he and the partners continue to be liable as partners to third parties for any act done by any of them which would have been an act of the firm if done before the retirement, until public notice is given of the retirement:

Provided that a retired partner is not liable to any third party who deals with the firm without knowing that he was a partner.

(4) Notices under Sub-section (3) may be given by the retired partner or by any partner of the reconstituted firm.

Expulsion of a partner.

33. (1) A partner may not be expelled from a firm by any majority of the partners, save in the exercise in good faith of powers conferred by contract between the partners.

(2) The provisions of Sub-sections (2), (3) and (4) of Section 32 shall apply to an expelled partner as if he were a retired partner.

Insolvency of a partner.

34. (1) Where a partner in a firm is a adjudicated an insolvent he ceases to be a partner on the date on which the order of adjudication is made, whether or not the firm is thereby dissolved.

(2) Where under a contract between the partners the firm is not dissolved by the adjudication of a partner as an insolvent, the estate of a partner so adjudicated is not liable for any act of the firm and the firm is not liable for any act of the insolvent, done after the date on which the order of adjudication is made.

Liability of estate of deceased partner.

35. Where under a contract between the partners the firm is not dissolved by the death of a partner, the estate of a deceased partner is not liable for any act of the firm done after his death.

Rights of out-going partner to carry on competing business.

36. (1) An out-going partner may carry on a business competing with that of the firm and he may advertise such business, but, subject to contract to the contrary, he may not—

(*a*) use the firm name,

(*b*) represent himself as carrying on the business of the firm, or

(*c*) solicit the custom of persons who were dealing with the firm before he ceased to be a partner.

Agreements in restraint of trade.

(2) A partner may make an agreement with his partners that on ceasing to be a partner he will not carry on any business similar to that of the firm within a specified period or within specified local limits; and, notwithstanding anything contained in Section 27 of the Indian Contract Act, 1872, as in force in Mysore, such agreement shall be valid if the restrictions imposed are reasonable.

37. Where any member of a firm has died or otherwise ceased to be a partner, and the surviving or continuing partners carry on the business of the firm with the property of the firm without any final settlement of accounts as between them and the out-going partner or his estate, then, in the absence of a contract to the contrary, the out-going partner or his estate is entitled at the option of himself or his representatives to such share of the profits made since he ceased to be a partner as may be attributable to the use of his share of the property of the firm or to interest at the rate of six per cent per annum on the amount of his share in the property of the firm : Rights of out-going partner in certain cases to share subsequent profits.

Provided that where by contract between the partners an option is given to surviving or continuing partners to purchase the interest of a deceased or out-going partner, and that option is duly exercised, the estate of the deceased partner, or the out-going partner or his estate, as the case may be, is not entitled to any further or other share of profits; but if any partner assuming to act in exercise of the option does not in all material respects comply with the terms thereof, he is liable to account under the foregoing provisions of this section.

38. A continuing guarantee given to a firm, or to a third party in respect of the transactions of a firm, is, in the absence of agreement to the contrary, revoked as to future transactions from the date of any change in the constitution of the firm. Revocation of continuing guarantee by change in firm.

CHAPTER VI.

DISSOLUTION OF A FIRM.

39. The dissolution of partnership between all the partners of a firm is called the " dissolution of the firm." Dissolution of a firm.

40. A firm may be dissolved with the consent of all the partners or in accordance with a contract between the partners. Dissolution by agreement.

41. A firm is dissolved— Compulsory dissolution.

(*a*) by the adjudication of all the partners or of all the partners but one as insolvent, or

(*b*) by the happening of any event which makes it unlawful for the business of the firm to be carried on or for the partners to carry it on in partnership :

Provided that, where more than one separate adventure or undertaking is carried on by the firm, the illegality of one or more shall not of itself cause the dissolution of the firm in respect of its lawful adventures and undertakings.

Dissolution on the happening of certain contingencies.

42. Subject to contract between the partners a firm is dissolved—

(*a*) if constituted for a fixed term, by the expiry of that term ;

(*b*) if constituted to carry out one or more adventures or undertakings, by the completion thereof ;

(*c*) by the death of a partner ; and

(*d*) by the adjudication of a partner as an insolvent.

Dissolution by notice of partnership at will.

43. (1) Where the partnership is at will, the firm may be dissolved by any partner giving notice in writing to all the other partners of his intention to dissolve the firm.

(2) The firm is dissolved as from the date mentioned in the notice as the date of dissolution or, if no date is so mentioned, as from the date of the communication of the notice.

Dissolution by the Court.

44. At the suit of a partner, the Court may dissolve a firm on any of the following grounds. namely :—

(*a*) that a partner has become of unsound mind, in which case the suit may be brought as well by the next friend of the partner who has become of unsound mind as by any other partner ;

(*b*) that a partner, other than the partner suing, has become in any way permanently incapable of performing his duties as partner ;

(*c*) that a partner, other than the partner suing, is guilty of conduct which is likely to affect prejudicially the carrying on of the business, regard being had to the nature of the business ;

(*d*) that a partner, other than the partner suing, wilfully or persistently commits breach of agreements relating to the management of the affairs of the firm or the conduct of its business, or otherwise so conducts himself in matters relating to the business that it is not reasonably practicable for the other partners to carry on the business in partnership with him ;

Mode of settlement of accounts between partners.

48. In settling the accounts of a firm after dissolution, the following rules shall, subject to agreement by the partners, be observed :—

(*a*) Losses, including deficiencies of capital, shall be paid first out of profits, next out of capital, and, lastly, if necessary, by the partners individually in the proportions in which they were entitled to share profits.

(*b*) The assets of the firm, including any sums contributed by the partners to make up deficiencies of capital, shall be applied in the following manner and order :—

(i) in paying the debts of the firm to third parties ;

(ii) in paying to each partner rateably what is due to him from the firm for advances as distinguished from capital ;

(iii) in paying to each partner rateably what is due to him on account of capital ; and

(iv) the residue, if any, shall be divided among the partners in the proportions in which they were entitled to share profits.

Payment of firm debts and of separate debts.

49. Where there are joint debts due from the firm, and also separate debts due from any partner, the property of the firm shall be applied in the first instance in payment of the debts of the firm, and, if there is any surplus, then the share of each partner shall be applied in payment of his separate debts or paid to him. The separate property of any partner shall be applied first in the payment of his separate debts, and the surplus (if any) in the payment of the debts of the firm.

Personal profits earned after dissolution.

50. Subject to contract between the partners, the provisions of Clause (*a*) of Section 16 shall apply to transactions by any surviving partner or by the representatives of a deceased partner, undertaken after the firm is dissolved on account of the death of a partner and before its affairs have been completely wound up :

Provided that where any partner or his representative has bought the goodwill of the firm, nothing in this section shall affect his right to use the firm name.

Return of premium on premature dissolution.

51. Where a partner has paid a premium on entering into partnership for a fixed term, and the firm is dissolved before the expiration of that term otherwise than by the

(*e*) that a partner, other the partner suing, has in any way transferred the whole of his interest in the firm to a third party, or has allowed his share to be charged under the provisions of Rule 49 of Order XXI of the First Schedule to the Code of Civil Procedure, 1911, or has allowed it to be sold in the recovery of arrears of land revenue or of any dues recoverable as arrears of land revenue due by the partner;

(*f*) that the business of the firm cannot be carried on save at a loss; or

(*g*) on any other ground which renders it just and equitable that the firm should be dissolved.

Liability for acts of partners done after dissolution.

45. (1) Notwithstanding the dissolution of a firm, the partners continue to be liable as such to third parties for any act done by any of them which would have been an act of the firm if done before the dissolution, until public notice is given of the dissolution:

Provided that the estate of a partner who dies, or who is adjudicated an insolvent, or of a partner who, not having been known to the person dealing with the firm to be a partner, retires from the firm, is not liable under this section for acts done after the date on which he ceases to be a partner.

(2) Notices under Sub-section (1) may be given by any partner.

Right of partners to have business wound up after dissolution.

46. On the dissolution of a firm every partner or his representative is entitled. as against all the other partners or their representatives, to have the property of the firm applied in payment of the debts and liabilities of the firm, and to have the surplus distributed among the partners or their representatives according to their rights.

Continuing authority of partners for purposes of winding up.

47. After the dissolution of a firm the authority of each partner to bind the firm, and the other mutual rights and obligations of the partners, continue notwithstanding the dissolution, so far as may be necessary to wind up the affairs of the firm and to complete transactions begun but unfinished at the time of the dissolution, but not otherwise:

Provided that the firm is in no case bound by the acts of a partner who has been adjudicated insolvent; but this proviso does not affect the liability of any person who has after the adjudication represented himself or knowingly permitted himself to be represented as a partner of the insolvent.

death of a partner, he shall be entitled to repayment of the premium or of such part thereof as may be reasonable, regard being had to the terms upon which he became a partner and to the length of time during which he was a partner, unless—

(*a*) the dissolution is mainly due to his own misconduct, or

(*b*) the dissolution is in pursuance of an agreement containing no provision for the return of the premium or any part of it.

Rights where partnership contract is rescinded for fraud or misrepresentation.

Where a contract creating partnership is [redacted]d on the ground of the fraud or misrepresentation [redacted]y of the parties thereto, the party entitled to rescind [redacted]s, without prejudice to any other right, entitled—

(*a*) to a lien on, or a right of retention of, the surplus, or the assets of the firm remaining after the debts of the firm have been paid, for any sum paid by him for the purchase of a share in the firm and for any capital contributed by him;

(*b*) to rank as a creditor of the firm in respect of any payment made by him towards the debts of the firm; and

(*c*) to be indemnified by the partner or partners guilty of the fraud or misrepresentation against all the debts to the firm.

Right to restraint from use of firm name or firm property.

53. After a firm is dissolved, every partner or his representative may, in the absence of a contract between the partners to the contrary, restrain any other partner or his representative from carrying on a similar business in the firm name or from using any of the property of the firm for his own benefit, until the affairs of the firm have been completely wound up:

Provided that where any partner or his representative has bought the goodwill of the firm, nothing in this section shall affect his right to use the firm name.

Agreements in restraint of trade.

54. Partners may upon or in anticipation of the dissolution of the firm, make an agreement that some or all of them will not carry on a business similar to that of the firm within a specified period or within specified local limits; and notwithstanding anything contained in Section 27 of the Indian Contract Act, 1872, as in force in Mysore,

such agreement shall be valid if the restrictions imposed are reasonable.

Sale of good-will after dissolution.

55. (1) In settling the accounts of a firm after dissolution, the goodwill shall, subject to contract between the partners, be included in the assets, and it may be sold either separately or along with other property of the firm.

Rights of buyer and seller of goodwill.

(2) Where the goodwill of a firm is sold after dissolution, a partner may carry on a business compet with that of the buyer and he may advertise such bus but, subject to agreement between him and the buye may not—

(*a*) use the firm name,

(*b*) represent himself as carrying on the bu the firm, or

(*c*) solicit the custom of persons who were dealing with the firm before its dissolution.

Agreements in restraint of trade.

(3) Any partner may, upon the sale of the goodwill of a firm, make an agreement with the buyer that such partner will not carry on any business similar to that of the firm within a specified period or within specified local limits, and, notwithstanding anything contained in Section 27 of the Indian Contract Act, 1872, as in force in Mysore, such agreement shall be valid if the restrictions imposed are reasonable.

CHAPTER VII.

REGISTRATION OF FIRMS.

Application of this Chapter.

56. The Government may, by notification in the official Gezette, extend the provisions of this Chapter to the whole or any part of Mysore specified in the notification or cancel any such notification and the said provisions shall not apply unless so extended.

Appointment of Registrars.

57. (1) The Government may appoint Registrars of Firms for the purposes of this Regulation, and may define the areas within which they shall exercise their powers and perform their duties.

(2) Every Registrar shall be deemed to be a public servant within the meaning of Section 21 of the Indian Penal Code as in force in Mysore.

Application for registration.

58. (1) The registration of a firm may be effected at any time by sending by post or delivering to the Registrar of the area in which any place of business of the firm is

situated or proposed to be situated, a statement in the prescribed form and accompanied by the prescribed fee, stating—

(*a*) the firm name.
(*b*) the place or principal place of business of the firm,
(*c*) the names of any other places where the firm carries on business,
(*d*) the date when each partner joined the firm,
(*e*) the names in full and permanent addresses of the partners, and
(*f*) the duration of the firm.

The statement shall be signed by all the partners, or by their agents specially authorised in this behalf.

(2) Each person signing the statement shall also verify it in the manner prescribed.

(3) A firm name shall not contain any of the following words, namely :—

"Crown", "Emperor", "Empress", "Empire", "Imperial", "King", "Queen", "Royal", "Maharaja," or words expressing or implying the sanction, approval or patronage of His Highness the Maharaja or the Government, except when the Government as signifies its consent to the use of such words as part of the firm name by order in writing under the hand of one of the Secretaries of the Government.

Registration.

59. When the Registrar is satisfied that the provisions of Section 58 have been duly complied with, he shall record an entry of the statement in a register called the Register of Firms, and shall file the statement.

Recording of alterations in firm name and principal place of business.

60. (1) When an alteration is made in the firm name or in the location of the principal place of business of a registered firm, a statement may be sent to the Registrar accompanied by the prescribed fee, specifying the alteration, and signed and verified in the manner required under Section 58.

(2) When the Registrar is satisfied that the provisions of Sub-section (1) have been duly complied with, he shall amend the entry relating to the firm in the Register of Firms in accordance with the statement and shall file it along with the statement relating to the firm filed under Section 59.

Noting of closing and opening of branches.

61. When a registered firm discontinues business at any place or begins to carry on business at any place, such place not being its principal place of business, any partner or agent of the firm may send intimation thereof to the Registrar, who shall make a note of such intimation in the entry relating to the firm in the Register of Firms, and shall file the intimation along with the statement relating to the firm filed under Section 59.

Noting of changes in names and addresses of partners.

62. When any partner in a registered firm alters his name or permanent address, an intimation of the alteration may be sent by any partner or agent of the firm to the Registrar, who shall deal with it in the manner provided in Section 61.

Recording of changes in and dissolution of a firm.

63. (1) When a change occurs in the constitution of a registered firm, any in-coming, continuing or out-going partner, and when a registered firm is dissolved any person who was a partner immediately before the dissolution, or the agent of any such partner or person specially authorised in this behalf, may give notice to the Registrar of such change or dissolution, specifying the date thereof; and the Registrar shall make a record of the notice in the entry relating to the firm in the Register of Firms, and shall file the notice along with the statement relating to the firm filed under Section 59.

Recording of withdrawal of a minor.

(2) When a minor who has been admitted to the benefits of partnership in a firm attains majority and elects to become or not to become a partner, and the firm is then a registered firm, he or his agent specially authorised in this behalf, may give notice to the Registrar that he has or has not become a partner, and the Registrar shall deal with the notice in the manner provided in Sub-section (1).

Rectification of mistakes.

64. (1) The Registrar shall have power at all times to rectify any mistake in order to bring the entry in the Register of Firms relating to any firm into conformity with the documents relating to that firm filed under this Chapter.

(2) On application made by all the parties who have signed any document relating to a firm filed under this Chapter, the Registrar may rectify any mistake in such document or in the record or note thereof made in the Register of Firms.

Admendment of Register by order of Court.

65. A Court deciding any matter relating to a registered firm may direct that the Registrar shall make any amendment in the entry in the Register of Firms

relating to such firm which is consequential upon its decision; and the Registrar shall amend the entry accordingly.

Inspection of Register and filed documents.

66. (1) The Register of Firms shall be open to inspection by any person on payment of such fee as may be prescribed.

(2) All statements, notices and intimations filed under this Chapter shall be open to inspection, subject to such conditions and on payment of such fee as may be prescribed.

Grant of copies.

67. The Registrar shall on application furnish to any person, on payment of such fee as may be prescribed, a copy, certified under his hand, of any entry or portion thereof in the Register of Firms.

Rules of evidence.

68. (1) Any statement, intimation or notice recorded or noted in the Register of Firms shall, as against any person by whom or on whose behalf such statement, intimation or notice was signed, be conclusive proof of any fact therein stated.

(2) A certified copy of an entry relating to a firm in the Register of Firms may be produced in proof of the fact of the registration of such firm, and of the contents of any statement, intimation or notice recorded or noted therein.

Effect of non-registration.

69. (1) No suit to enforce a right arising from a contract or conferred by this Regulation shall be instituted in any Court by or on behalf of any person suing as a partner in a firm against the firm or any person alleged to be or to have been a partner in the firm unless the firm is registered and the person suing is or has been shown in the Register of Firms as a partner in the firm.

(2) No suit to enforce a right arising from a contract shall be instituted in any Court by or on behalf of a firm against any third party unless the firm is registered and the persons suing are or have been shown in the Register of Firms as partners in the firm.

(3) The provisions of Sub-sections (1) and (2) shall apply also to a claim of set-off or other proceeding to enforce a right arising from a contract, but shall not affect—

(*a*) the enforcement of any right to sue for the dissolution of a firm or for accounts of a dissolved firm, or any right or power to realise the property of a dissolved firm, or

(*b*) the powers of a receiver or Court under the Mysore Insolvency Regulation, 1925, to realise the property of an insolvent partner.

(4) This section shall not apply —

(*a*) to firms or to partners in firms which have no place of business in Mysore, or whose places of business in Mysore are situated in areas to which, by notification under Section 56, this Chapter does not apply, or

(*b*) to any suit or claim of set-off not exceeding one hundred rupees in value which is of a kind specified in the first Schedule to the Mysore Small Cause Courts Regulation, 1911, or to any proceeding in execution or other proceeding incidental to or arising from any such suit or claim.

Penalty for furnishing false particulars.

70. Any person who signs any statement, amending statement, notice or intimation under this Chapter containing any particular which he knows to be false or does not believe to be true, or containing particulars which he knows to be incomplete or does not believe to be complete, shall be punishable with simple imprisonment which may extend to three months, or with fine which may extend to Rs. 500, or with both.

Power to make rules.

71. (1) The Government may make rules prescribing the fees which shall accompany documents sent to the Registrar of Firms, or which shall be payable for the inspection of documents in the custody of the Registrar of Firms, or for copies from the Register of Firms ;

Provided that such fees shall not exceed the maximum fees specified in Schedule I.

(2) The Government may make rules —

(*a*) prescribing the form of statement submitted under Section 58, and of the verification thereof ;

(*b*) requiring statements, intimations and notices under Sections 60, 61, 62 and 63 to be in prescribed form, and prescribing the form thereof ;

(*c*) prescribing the form of the Register of Firms, and the mode in which entries relating to firms are to be made therein, and the mode in which such entries are to be amended or notes made therein ;

(*d*) regulating the procedure of the Registrar when disputes arise;

(*e*) regulating the filing of documents received by the Registrar;

(*f*) prescribing conditions for the inspection of original documents;

(*g*) regulating the grant of copies;

(*h*) regulating the elimination of registers and documents;

(*i*) providing for the maintenance and form of an Index to the Register of Firms; and

(*j*) generally, to carry out the purposes of this Chapter.

(3) All rules made under this section shall be subject to the condition of previous publication.

CHAPTER VIII.

SUPPLEMENTAL.

Mode of giving public notice.

72. A public notice under this Regulation is given—

(*a*) where it relates to the retirement or expulsion of a partner from a registered firm, or to the dissolution of a registered firm, or to the election to become or not to become a partner in a registered firm by a person attaining majority who was admitted as a minor to the benefits of partnership, by notice to the Registrar of Firms under Section 63, and by publication in the official Gazette and in at least one vernacular newspaper circulating in the district where the firm to which it relates has its place or principal place of business, and

(*b*) in any other case, by publication in the official Gazette and in at least one vernacular newspaper circulating in the district where the firm to which it relates has its place or principal place of business.

Repeals.

73. The enactments mentioned in Schedule II are hereby repeated to the extent specified in the fourth column thereof.

Savings.

74. Nothing in this Regulation or any repeal effected thereby shall affect or be deemed to affect—

(*a*) any right, title, interest, obligation or liability already acquired, accrued or incurred before the commencement of this Regulation, or

(*b*) any legal proceeding or remedy in respect of any such right, title, interest, obligation or liabilities or anything done or suffered before the commencement of this Regulation, or

(*c*) anything done or suffered before the commencement of this Regulation, or

(*d*) any enactment relating to partnership not expressly repealed by this Regulation, or

(*e*) any rule of insolvency relating to partnership, or

(*f*) any rule of law not inconsistent with this Regulation.

SCHEDULE I.

MAXIMUM FEES.

[See Sub-section (1) of Section 71.]

Document or act in respect of which the fee is payable	Maximum fee
Statement under Section 58	Three rupees.
Statement under Section 60	One rupee.
Intimation under Section 61	One rupee.
Intimation under Section 62	One rupee.
Notice under Section 63	One rupee.
Application under Section 64	One rupee.
Inspection of the Register of Firms under Sub-section (1) of Section 66.	Eight annas for inspecting one volume of the Register.
Inspection of documents relating to a firm under Sub-section (2) of Section 66.	Eight annas for the inspection of all documents relating to one firm.
Copies from the Register of Firms	Four annas for each hundred words or part thereof.

SCHEDULE II.

ENACTMENTS REPEALED.

(*See* Section 73.)

Year	No.	Short title	Extent of repeal
	2	3	4
	IX	The Indian Contract Act, 1872.	Exceptions 2 and 3 to Section 27. The whole of Chapter XI.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 852—Legis. 12-36-1, dated Bangalore, 31st July 1936.

Order that the accompanying Regulation for the suppression of brothels and immoral traffic in the Mysore State which received the assent of His Highness the Maharaja, on the fourteenth day of July 1936 be published as Regulation No. VIII of 1936, in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION VIII OF 1936.

(*Received the Assent of His Highness the Maharaja on the Fourteenth day of July 1936.*)

Regulation for the Suppression of Brothels and Immoral Traffic in the Mysore State.

Whereas it is expedient to make provision for the Suppression of Brothels and Immoral Traffic in the Mysore State; It is hereby enacted as follows:—

1. (*a*) This Regulation may be called the Suppression of Immoral Traffic Regulation of 1936. Short title.

(*b*) The Government may from time to time, by notification in the Official Gazette apply all or any of the provisions of this Regulation to the whole or any portion of Mysore from such date as may be specified in the notification and may cancel or modify any such notification.

Provided that sections 6, 7 and 8 shall not be so applied to any area unless the Government are satisfi that there are sufficient number of rescue homes in area.

Definitions.

2. In this Regulation, unless there is repugnant in the subject or context :—

'Brothel' means any house, room, or pla part thereof which the occupier or person in cha of habitually allows to be used by any other per purposes of prostitution.

'Prostitution' means promiscuous se course for hire.

'Magistrate' means a Stipendiary Magistrate the First Class.

'Prescribed' means prescribed by rules made under this Regulation.

Solicitation.

3. Whoever,

(1) in any street or public place, solicits any person for the purpose of prostitution, in such manner as to cause obstruction, annoyance or danger to the residents or passengers or to offend against public decency, or

(2) frequents such street or public place, for the purpose of prostitution or of solicitation so as to constitute a nuisance, or to offend against public decency

shall be punished with imprisonment for a term which may extend to two months or with fine which may extend to two hundred rupees or with both.

Procuration.

4. Any person who induces a woman or girl to go from any place with intent that she may, for the purposes of prostitution, become the inmate of or frequent a brothel, shall be punished with imprisonment which may extend to two years, or with fine which may extend to five hundred rupees or with both.

Importing woman or girl for Prostitution.

5. Any person who takes or attempts to take or causes to be taken from one place to another any woman or girl with a view to her carrying on or being brought up to carry on the business of prostitution or causes or induces any woman or girl to carry on the business of prostitution, shall be punished with imprisonment which may extend

to two years or with fine which may extend to five hundred rupees or with both.

Removal of minor girl from brothel.

6. Where a Magistrate has reason to believe from a report made to him by a Police Officer, or otherwise, that a girl apparently under the age of 18 years is living, or is carrying on or is being made to carry on the business of prostitution in a brothel, disorderly house or place of assignation, he may issue an order to a Police Officer not below the rank of an Inspector specially authorised in writing in this behalf by the Superintendent of Police, to enter into such brothel, disorderly house or place of assignation, and to remove therefrom such girl; and thereupon such Police Office shall have the power to enter into such brothel, disorderly house or place of assignation, and shall be entitled to remove such girl forthwith from such brothel, disorderly house or place of assignation.

Commitment to suitable custody.

7. A girl who has been removed under section 6 shall be brought before a magistrate having local jurisdiction and such magistrate shall make such inquiry as he thinks fit and if satisfied that the girl is under the age of 18 years, he may make an order that such girl be placed until she attains the age of 21 years or for any shorter period, under such conditions as may be prescribed, in a rescue home provided or aided or recognised by the Government or in such other custody as the Court, for reasons to be stated in writing, shall consider suitable, provided that such custody shall not be that of a person other than a relative of the girl or of a body of a different religious persuasion from that of the girl.

Intermediate custody of the girl removed from brothel, etc.

8. When a girl has been removed from a brothel or disorderly house or place of assignation under the provisions of section 6, the Police Officer carrying out the removal shall, until such girl can be brought before a magistrate, cause her to be detained in a rescue home provided, aided or recognised by the Government or in such other suitable custody (other than a police station or jail) as may be prescribed in this behalf by the Government, provided however, that such custody shall not be that of a person or a body of a different religious persuasion from that of the girl.

Guardianship while in custody.

9. Notwithstanding anything contained in any other law, any person to whose custody a girl is committed by an order made under section 7 shall, while the order is in force, have the like control over the girl as if he were her

parent and shall be responsible for her maintenance and protection and the girl shall continue in his custody notwithstanding that she is claimed by her parent, or any other person.

Detention for Prostitution in brothel.

10. Any person who detains any woman or girl against her will in a brothel for purposes of prostitution, shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

Punishment for keeping a brothel or allowing premises to be used as a brothel.

11. (1) Any person who keeps or manages or acts or assists in the management of a brothel shall be punished with imprisonment which may extent to two years or with fine which may extend to one thousand rupees or with both.

(2) Any person who,

(*a*) being the tenant, lessee, occupier, or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel, or

(*b*) being the lessor or landlord of any premises, or the agent of such lessor or landlord, lets the same, or any part thereof, to any person convicted under sub-section (1) or clause (*a*) of this sub-section with the knowledge that such premises or some part thereof are or is to be used as a brothel, or is willfully a party to the use of such premises, or any part thereof, as a brothel ;

shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees or with both.

(3) Notwithstanding anything contained in any other law for the time being in force, the owner or lessor of any house, room or place, in respect of which the lessee, tenant or occupier thereof has been convicted under clause (*a*) of sub-section (2) shall be entitled forthwith to determine such lease, tenancy or occupation.

Arrest without Warrant.

12. Any Police Officer (not below the rank of an Inspector) on complaint, and any Police Officer authorised in this behalf by the District Superintendent of Police by special order, may arrest without a warrant any person committing in his view any offences punishable under sections 3, 4, 5, and 10 if the name and address of such person be unknown to such Police Officer and cannot be

ascertained by him then and there, or if he has reason to suspect that a false name and address has been given.

Power to enter premises.

13. Notwithstanding anything contained in any other law for the time being in force, only a Police Officer authorized in this behalf by the District Superintendent of Police may, for the purposes of ascertaining whether an offence punishable under sections 3, 4, 5 or 10 has been or is being committed, enter without a warrant any premises in which he has reason to believe that any woman or girl is living in respect of whom an offence punishable under Sections 3, 4, 5 or 10 has been committed.

Offences triable by certain Magistrates only.

14. No court inferior to that of a Stipendiary Magistrate of the first class shall try offences under sections 3, 4, 5, 10 and 11.

Power to make rules.

15. The Government may make rules generally for carrying into effect the provisions of this Regulation and in particular

(*a*) for the care treatment, instruction and the maintenance of girls placed in a rescue home or homes or other suitable custody under section 7;

(*b*) for the detention of girls under the provisions of section 8."

MIRZA M. ISMAIL,
Dewan.

Order No. P. 853—Legis. 13-36-1, dated Bangalore, the 31st July 1936.

Ordered that the accompanying Regulation to amend the Mysore Road Traffic and Taxes Regulation, 1935, which received the assent of His Highness the Maharaja, on the fourteenth day of July 1936 be published as Regulation No. IX of 1936, in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION IX OF 1936.

(Received the assent of His Highness the Maharaja on the fourteenth day of July 1936.)

A Regulation to amend the Mysore Road Traffic and Taxes Regulation, 1935.

Whereas it is expedient to amend the Mysore Road Traffic and Taxes Regulation No. VI of 1935; It is hereby enacted as follows:—

Short title.

1. This Regulation may be called the Mysore Road Traffic and Taxes (Amendment) Regulation, 1936.

Commencement.

2. It shall come into force on such date as the Government may by Notification in the Official Gazette direct.

Amendment of Section 9.

3. After Sub-Sections (2) and (3) of Section 9 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935 (hereinafter referred to as the said Regulation), the following sub-section numbered as (3. A.) shall be added, namely;

"(3. A.) Notwithstanding anything contained in Section 8 and sub-sections (2) and (3) of Section 9, the Government may, by notification in the Official Gazette from time to time, direct the levy of taxes, at rates not exceeding those specified in Schedule II E. on motor vehicles belonging to or in the possession and control of persons not ordinarily residing in Mysore, and used or kept for use in Mysore by such persons for periods shorter than the half-year or the quarter, as the case may be, but not exceeding 30 days at a time. The levy of taxes shall be subject to such conditions as may be specified by the Government in the said notification."

Amendment of Section 9.

4. In Sub-Section (4) of Section 9, the words "other than a vehicle tax" shall be omitted and for the word "quarter" in both places where it occurs, the word "period" shall be substituted.

Insertion of new Schedule.

5. After Schedule II. D. to the said Regulation the following Schedule numbered as Schedule II. E. shall be added, namely,

SCHEDULE II. E.

[See Sections 8 and 9—Sub-Section (3-A).]

Class of Vehicles	For periods not exceeding 7 days at a time	For periods exceeding 7 days but not exceeding 30 days at a time
Vehicles Taxes—	Rs. a. p.	Rs. a. p.
1. Motor Cycles	1 4 0	3 12 0
2. Motor cars constructed or adapted to carry in all not more than seven persons including the driver—		
(*a*) Weighing not more than 15 cwts. unladen.	2 8 0	7 8 0
(*b*) Weighing more than 15 cwts. unladen.	3 8 0	10 0 0
3. Motor cars constructed or adapted to carry eight persons or more including the driver.	10 0 0	30 0 0

ROAD TAX.

Class of Vehicles	For periods not exceeding 7 days at a time		For periods exceeding 7 days, but not exceeding 30 days at a time	
	Not let or plied for hire	Let or plied for hire	Not let or plied for hire	Let or plied for hire
I. Motor Lorries—	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
(*a*) Not exceeding 15 cwts. in weight unladen.	6 0 0	9 0 0	12 0 0	18 0 0
(*b*) Exceeding 15 cwts. but not exceeding 30 cwts. in weight unladen.	14 0 0	21 0 0	28 0 0	42 0 0
(*c*) Exceeding 30 cwts. but not exceeding 50 cwts. in weight unladen.	22 8 0	33 12 0	45 0 0	67 8 0
(*d*) Exceeding 50 cwts. in weight unladen.	50 0 0	75 0 0	100 0 0	150 0 0

SERVICE TAX.

	For periods not exceeding 7 days at a time.	For periods exceeding 7 days but not exceeding 30 days at a time.
	Rs. a. p.	Rs. a. p.
Motor Cars and Motor Buses—		
1. For every person the vehicle is licensed to carry ...	1 8 0	3 0 0

MILEAGE CESS.

Motor Buses ... ... 9 pies per mile.

Provisos :—

(1) In all cases vehicles not fitted with pneumatic tyres on all wheels shall be liable to one and half time the rate of tax prescribed above for the respective class of the vehicle.

(2) The vehicles liable to the Vehicle Tax, the Road Tax, the Service Tax and the Mileage cess shall be subject to the privileges, conditions, exemptions and limitations specified in the Schedule relating to that tax, amongst Schedules II. A. to II. D.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 854—Legis. 9-36-1, dated Bangalore, the 31st July 1936.

Ordered that the accompanying Regulation further to amend the Mysore District Boards Regulation, 1926, which received the assent of His Highness the Maharaja, on the fourteenth day of July 1936 be published as Regulation No. V of 1936, in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION V OF 1936.

(Received the assent of His Highness the Maharaja on the fourteenth day of July 1936.)

Regulation further to amend the Mysore District Boards Regulation, 1926.

Preamble. Whereas it is expedient further to amend the Mysore District Boards Regulation, 1926; It is hereby enacted as follows:—

Amendment of section 3. 1. In section 3 of the Mysore District Boards Regulation, 1926, (hereinafter referred to as the said Regulation) the following definitions shall be added, namely:—

(5) "Dangerous disease" means cholera, plague, small-pox and any endemic or epidemic or infectious disease by which the life of man is endangered.

(6) "Market" means a place where goods or animals are publicly exposed or brought for sale periodically.

(7) "Public ferry" means a ferry used for the conveyance for hire of any passenger, animal, cart, carriage or other vehicle or goods.

(8) "Private market" means a market other than a public market.

(9) "Public market" means a market which a District Board opens under section 54 or a market the control over which is or may be vested in a Village Panchayet by the Government.

Amendment of section 8. 2. In sub-section (2) of section 8 of the said Regulation, for the words "whenever a date has been fixed for any election of persons to fill the places of persons whose term of office has expired," the words "for every general election" shall be substituted.

Amendment of section 9. 3. In section 9 of the said Regulation, for the words "and who is not subject to any disqualification specified in section 10 or any other provision of this Regulation or the rules thereunder," the words "and who is not of unsound mind" shall be substituted.

4. For Sections 10 and 11 of the said Regulation the following shall be substituted.

Disqualification of Members. "10. (*1*) (A) No person may be a member of a District Board—

(*a*) who has been sentenced by a criminal court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed, or quashed, or

(*b*) against whom an order has been passed under section 118 of the Code of Criminal Procedure, 1904, in proceedings instituted under section 110 of that Code, such order not having been subsequently reversed or quashed, or

(*c*) who has been dismissed from municipal, district board or Government service, such dismissal having been notified as debarring him from re-employment, or

(*d*) who was a legal practitioner whose sannad has been withdrawn by the High Court, or

(*e*) who has been removed from office under section 27, or

(*f*) who is a legal practitioner whose sannad has been suspended by the High Court, or

(*g*) who is an undischarged insolvent, or

(*h*) who is less than twenty-one years of age, or

(*i*) who is of unsound mind, or

(*j*) who is a judge, and

(*B*) No person,

(*a*) who is a salaried officer or servant of a distric board, or

(*b*) who, save as hereinafter provided, has directly or indirectly, by himself or his partner, any share or interest in any work done by order of a district board, or in any contract or employment with, or under, or by, or on behalf of a district board, or

(*c*) who is employed as paid legal practitioner on behalf of a district board or accepts employment as legal practitioner against a district board,

may be a member of such district board.

Provided that—

(*a*) the disqualification in sub-clause (b) of clause A will cease to operate after the expiry of the period during which a person is ordered to furnish security,

(*b*) the disqualification in sub-clauses (*a*), (*c*), (*d*) and (*e*) of clause A will cease to operate after the expiry of three years from the date of such sentence, dismissal, withdrawal or removal or earlier by an order of the Government;

(*c*) a person shall not be deemed to have incurred disqualification under clause B (*b*) by reason of his

(*i*) having a share in any joint-stock company or a share or interest in any literary association registered under the Societies Registration Regulation, 1904, or in any society registered under the Mysore Co-operative Societies Regulation, 1908, which shall contract with or be employed by or on behalf of the district board, or

(*ii*) having a share or interest in any newspaper in which any advertisement relating to the affairs of the district board may be inserted, or

(*iii*) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the district board ;

(2) if any member of a district board during the term for which he has been elected or appointed—

(*a*) becomes subject to any disqualification specified in sub-section (1), or

(*b*) votes or takes part as a councillor in the discussion of any matter in which he has directly or indirectly by himself or his partner any such share or interest as is described in sub-clauses (i) and (ii) of clause (*c*) of the proviso to sub-section (1), or

(*c*) not being a salaried servant of the Government absents himself for more than 4 consecutive months from the district for which the board is established unless leave so to absent himself, which shall not exceed six months, had been granted by the board, or absents himself for six consecutive months from meetings of the board

he shall be disabled from continuing to be a member and his office shall become vacant.

(3) If any question or dispute or doubt arises whether a vacancy has occurred under this section, the orders of the Government shall be final for the purpose of deciding such question or dispute or doubt.

"11. Every person whose name is entered in the list prepared under section 8 for a constituency and who is not disqualified to be a member of the district board shall be qualified to be a candidate at any election in such constituency provided that a person who is already a member of the district board shall not be entitled to be a candidate at a bye-election held before the expiry of his term of office as member of such district board."

Amendment of section 14.

5. At the end of sub-section (5) of section 14 of the said Regulation, the following explanation shall be inserted :—

"*Explanation.*—The expression 'error' in this sub-section does not include any breach of or any omission to carry out or any non-compliance with the provisions of this Regulation or the rules made thereunder whereby the result of election has been materially affected."

Substitution of a new section for section 23.

6. The following shall be substituted for section 23 :—

Term of office of President and Vice-President and their liability to removal.

"23. (1)—The term of office of every President or Vice-President shall commence from the date of his election or appointment and shall, save as otherwise provided for in this Regulation, cease whenever he ceases to be a member of the District Board over which he presides ;

Provided that he shall, after an opportunity is afforded for hearing him, be removable from office as such President or Vice-President by the Government for misconduct or neglect of or incapacity to perform his duty or if he is unable to pay his debts or in the case of any elected or nominated President or Vice-President for not commanding the confidence of the Board to be evidenced by a resolution of the District Board in favour of which not less than two-thirds of the whole number of members of such Board have given their votes at a meeting specially convened for the purpose.

Explanation.—A person may be presumed to be unable to pay his debts if he is under arrest or imprisonment in execution of the decree of any Court for the payment of money.

Casual vacancies in their office, how to be filled up.

(2) In the event of any vacancy occurring in the office of a President or Vice-President, by death, resignation, removal or otherwise, the vacancy shall be filled up as soon as conveniently may be, by the election or appointment of some other member of the Board thereto."

Substitution of a new section for section 25.

7. For section 25 of the said Regulation, the following shall be substituted, namely :—

Resignation of office as member of Board, Vice-President or President.

"25. A member of a District Board other than the President may resign his membership and a Vice-President may resign his office as Vice-President by giving notice in writing to that effect to the President and such resignation

shall take effect from the date of the notice. The President may resign his membership or his office as President by giving a notice in writing to that effect to the Government and if such resignation is accepted, it shall take effect from the date on which the intimation of such acceptance reaches the office of the President."

8. Section 26 of the said Regulation shall be omitted.

Addition of new section 27.

9. Renumber Section 27 as 26 and after the section so renumbered the following new section shall be inserted as Section 27 :—

Casual vacancies occurring by increasing the number of members.

"27. In the event of a vacancy occurring by increasing the number of members of a District Board under section 6, such vacancy shall be filled up, as soon as conveniently may be, by the election or appointment as the case may be, of a person thereto who shall hold office till the next general election or for such period as the Government may in this behalf notify in the official Gazette."

Amendment of section 30.

10. Sub-section (3) of section 30 of the said Regulation shall be numbered as sub-section (4), the following new sub-section being inserted between sub-sections (2) and (4), namely :—

"(3) Every member shall have access to the records of the District Board or of any Committee after giving due notice to the President, provided that the President may, for reasons given in writing, forbid such access."

Amendment of section 37.

11. In the proviso to section 37 of the said Regulation, the words "loss or waste" shall be inserted after the word "misapplication" wherever it occurs.

Amendment of section 40.

12. In sub-section (1) of section 40 of the said Regulation, the words 'or with any Village Panchayet' shall be inserted after the words 'Municipal Council' in line 2 thereof and the words 'or Panchayet' and 'or Panchayets' shall be inserted after the words 'Council' and 'Councils' respectively in lines 3 and 7.

13. In section 45 of the said Regulation—

Amendment of section 45.

(1) For the words beginning with "Every District Board" and ending with "subject to its authority" in sub-section (1), the following shall be substituted, namely :—

"It shall be the duty of every District Board to make subject to such exceptions and conditions as may, from time to time, be made or imposed by the Government in

this behalf, reasonable provision for the following matters within the area under its jurisdiction and when effective provision cannot otherwise be made, outside that area"

(2) The word "schools" in clause (*c*) and the whole of clauses (*h*), (*j*), (*l*) (*m*) and (*n*) of sub-section (1) of the said section shall be deleted.

(3) The word "and" at the end of clause (*c*) of sub-section (2) of the said section shall be omitted and the following new clauses shall be inserted after clause (*d*) thereof :—

(*e*) promote development of economic condition with special reference to Agriculture and Industries and Commerce;

(*f*) encourage local arts and industries and grant loans for this purpose subject to the rules made by the Government in this behalf;

(*g*) institute, hold and manage fairs, cattle and agricultural shows and industrial exhibitions;

(*h*) take measures for improvement of cattle;

(*i*) pay travelling allowances to members of the District Board or any committee thereof subject to the rules prescribed in this behalf;

(*j*) provide motor and other transport facilities for the carriage of the public or guarantee from the district fund such sums as the District Board shall think fit as interest on capital expended by the Government or a company for this purpose and grant loans for providing capital for this purpose;

(*k*) organise and maintain, in time of famine or scarcity, relief and local relief works and shops or stalls for the sale of necessaries of life;

(*l*) provide accommodation for any class of servants employed by the District Board and grant loans to such servants for construction of houses subject to the rules and conditions prescribed by the Government in this behalf;

(*m*) contribute towards any public fund raised for the relief of human suffering within or without the area under the authority of the District Board;

(*n*) by a resolution passed at a meeting and supported by one-half of the whole number of members of the Board, and with the previous sanction of the Government, arrange for any public reception, ceremony or entertainment; and

(o) undertake any other matter not hereinbefore specifically named which is likely to promote the public health, safety or convenience or which is necessary for the carrying out of this Regulation, expenditure whereon is resolved by the District Board by the votes of not less than one-half of the whole number of members of the District Board and with the approval of the Government to be an appropriate charge on the district fund.

Amendment of section 54.

14. For section 54 of the said Regulation, the following sections shall be substituted, namely :—

Public ferries.

"54 (1) No public ferry shall after the commencement of this Regulation be newly established or closed without the sanction of the Government and no person shall keep open a public ferry which has been entrusted to the charge of the District Board without a license from the District Board;

(2) Whoever contravenes the provisions of this section shall, on conviction by a Magistrate, be punished with fine which may extend to five hundred rupees;

(3) Nothing in sub-sections (1) and (2) shall be deemed to apply to any person specially hiring a boat for the conveyance of himself or his family or friends or servants or goods or to the person letting such boat for hire for the said purpose."

"54-A (1) No market, either private or public, and no jatras, fairs, agricultural and cattle shows and exhibitions except those which are managed by muzrai and other officers authorised by the Government in this behalf shall be newly established in any area under the authority of a District Board or a Village Panchayet without the previous sanction of the Government which, in respect of an application by a Village Panchayet will be accorded after previous consultation with the District Board concerned.

(2) The grant of permission under the last preceding sub-section shall be subject to such conditions, and restrictions as the Government may lay down generally in respect of all such institutions as are referred to in sub-section (1) or specially in the case of any particular institution or class of institutions.

(3) No person shall open a new private market or continue to keep open a private market unless he obtains from the District Board a license to do so.

(4) No person shall sell or expose for sale any article or animal in any unlicensed private market;

(5) Whoever contravenes the provisions of this section shall, on conviction by a Magistrate, be punished with fine which may extend to five hundred rupees.

(6) If any question arises whether any place where persons assemble for the sale or purchase of articles of food or clothing or live-stock or poultry or cotton, ground-nut or other industrial crops or any other raw or manufactured products, is a market or not, the local authority concerned shall make a reference to the Government and the decision of the Government on the question shall be final."

Amendment of section 56.

15. In sub-section (3) of section 56 of the said Regulation, between the words "shall" and "be punished" the words "if not punishable under any other section of this Regulation," shall be inserted.

Substitution of a new section for section 65.

16. For section 65 of the said Regulation, the following shall be substituted, namely,—

Application of district fund and property.

"65. The district fund and all property held by or vested in the District Board under this Regulation, shall be applied, subject to the provisions of this Regulation for the payment of :—

(*a*) the salaries, allowances, pensions and gratuities of its officers and servants,

(*b*) any amounts falling due on any loans contracted by the board,

(*c*) expenses incurred—

(i) for holding elections to the District Board under this Regulation,

(ii) for the purposes specified in section 45, and

(iii) all other purposes for which by or under this Regulation or the rules or bye-laws thereunder or any other law for the time being in force, powers are conferred or duties imposed upon the District Board, and

(iv) with the previous sanction of the Government, for any other purpose for which the application of such property or fund is in the public interest.

Provided that—

Any funds granted to the District Board by the Government or any person or local authority for any specific work or purpose shall be applied exclusively for such work or purpose and in accordance with such

instructions as the Government may lay down either generally or specifically in this behalf.

Substitution of a new sub-section for sub-section (4) of section 68.

17. The following shall be substituted for sub-section (4) of section 68 of the said Regulation :—

"(4) The whole or any portion of the cess or the interest or other income derived from investment thereof in a bank or in securities or on construction of a railway or tramway may, with the previous approval of the Government and subject to such orders as may be made by it, be utilised for the construction of new roads and bridges or for improvement works to existing roads and bridges in the district, provided it is not required immediately or in the near future for,

expenditure on the purposes specified in sub-section (3).

Explanation.—The expression 'improvement works' in this sub-section includes the widening of roads, the levelling of roads, the provision of improved surfacing to roads by treatment with cement, tar, bitumen and such other materials, and the doing of any other works in respect of roads beyond ordinary repairs essential to placing them in a proper state of repair.

Addition of new section 71-A.

18. After section 71 of the said Regulation, the following new section shall be inserted, namely :—

Power to expel persons who refuse to pay fees.

"71-A. When any fee has been imposed under section 70 or has been leased under section 71, any person employed by the District Board or lessee to collect such fees or the lessee himself may, subject to the conditions of the lease, collect the fee or expel from the place for the use of which the fee is payable any person who is liable to pay the fee but refuses to pay it.

Substitution of new sections for sections 76 to 79 under a new chapter.

19. For sections 76, 77, 78 and 79 of the said Regulation, the following sections under a new chapter shall be substituted, namely :—

'CHAPTER VI-A.'

District Fund Accounts and Administration Reports.

Prohibition of expenditure not budgetted for.

76. Except as hereinafter provided, no payment of any sum shall be made out of the district fund unless the expenditure of the same is covered by a budget grant,

provided that the following items shall be excepted from this prohibition, namely :—

(*a*) refunds of taxes and other moneys which the District Board is authorised by the Regulation or the rules made thereunder to make;

(*b*) repayments of moneys belonging to the contractors or other persons held in deposit and of moneys collected or credited to the district fund by mistake;

(*c*) sums which the District Board is required or empowered by this Regulation to pay by way of compensation;

(*d*) every sum payable,

(i) under section 95 by order of the Deputy Commissioner and under sections 39, 96 and 98 by order of the Government,

(ii) under a decree or order of a civil court passed against the District Board,

(iii) under a compromise of any suit or other legal proceedings or claim;

(*e*) expenses incurred in the exercise of power conferred by bye-laws made under clause (*e*) of sub-section (1) of section 57 ;

(*f*) all contributions payable by the District Board to the Government for the maintenance of water-supply, dispensaries and other institutions managed by the Government on behalf of the District Board or on behalf of the District Board and any other local authority or authorities.

Presentation of accounts.

77. (1) The Standing Committee shall have prepared and laid before the District Board at its quarterly meetings complete accounts of the receipts and expenditure of the District Board since the first day of July last preceding and at a meeting which shall be held between the first day of February and the first day of April, a complete account of the actual and expected receipts and expenditure for the official year ending on the thirtieth day of June next following together with a budget estimate of the income and expenditure of the District Board for the official year to commence on the first day of July next following.

Budget estimate.

(2) The District Board shall thereupon decide upon the appropriations, and the ways and means contained in the budget of the year to commence on the first day of July next following. The budget as passed by the District

Board shall be sent to the Government through the Deputy Commissioner before such date as may be fixed by the Government.

(3) In such budget estimate, the District Board shall, among other things—

(*a*) make adequate and suitable provision for such services as may be required for the fulfilment of the several duties imposed on the District Board by this Regulation or any other law;

(*b*) provide for the payment, as they fall due, of all instalments of principal and interest for which the District Board may be liable in respect of loans contracted by it;

(*c*) provide for the payment of all sums payable to the Government under section 39 and of all contributions for the maintenance of water-supply, dispensaries, schools and other institutions or services managed by the Government on behalf of the District Board and on behalf of the District Board and any other local authority or authorities;

(*d*) allow for a balance at the end of the said year of not less than such sum as may, from time to time, be fixed by the Government generally for all District Boards or specially for any District Board;

(4) If the budget as submitted fails to make adequate provision for the matters specified in sub-section (3), the Government may, in according sanction, modify any part of the budget so as to ensure that such provision is made.

Revision of budget

78. If, in the course of the official year, the District Board finds it necessary to modify the figures shown in the budget with regard to its receipts or to the distribution of the amounts to be expended on the different services it undertakes, it may do so, provided that without the approval of the Government—

(*a*) no reduction shall be made in the amounts allotted for the several items specified in clauses (*b*) and (*c*) of sub-section (3) of section 77, and

(*b*) the closing balance shall not be reduced below the sum fixed under clause (*d*) of sub-section (3) of section 77.

Maintenance of accounts and restrictions on expenditure.

79. (1) Accounts of the income and expenditure of the district fund shall be kept in accordance with the rules prescribed in this behalf.

(2) Expenditure from the district fund shall, save as otherwise expressly provided for in this Regulation, be

incurred subject to the restrictions, conditions and limitations imposed in the rules prescribed in this behalf.

(3) The District Board shall, at the first general meeting held after the audit of the past official year's accounts, pass such accounts.

79-A. (1) The district fund accounts shall, from time to time, and once in every year at the least, be audited by an auditor appointed by the Government and also by such other agency, if any, as may be appointed by the District Board.

(2) The auditor or auditors shall for the purposes of audit have access to all the accounts and other records of the District Board.

(3) The District Board shall pay from the district fund such charges for the audit as may be agreed upon and in the case of a Government auditor, such charges as may be prescribed by the Government.

Powers of Government auditor.

79-B. The Government auditor may—

(*a*) by written requisition require the production before him of any document which he may consider necessary for the proper conduct of his audit;

(*b*) by written requisition require any person accountable for, or having the custody or control of, any such document to appear in person before him; and

(*c*) require any person so appearing before him to make and sign a declaration with respect to such document or to answer any question or prepare and submit any statement.

Duties of Government auditor.

79-C. (1) The Government auditor shall—

(*a*) as soon as may be after the completion of the audit, deliver to the Standing Committee a report upon the audit of the district fund accounts,

(*b*) report to the Standing Committee and to the Deputy Commissioner any material impropriety or irregularity which he may observe in the expenditure, or in the recovery of moneys due to the District Board or in the district fund accounts; and

(*c*) report to the Standing Committee and to the Deputy Commissioner any loss or waste of money or other property owned by or vested in the District Board caused by neglect or misconduct, with the names of persons directly or indirectly responsible for such loss or waste;

(2) The Standing Committee shall forthwith remedy any defects or irregularities that may be pointed out by the auditor. Standing Committee to remedy defects.

79-D. (1) The Government auditor shall disallow every item contrary to law and report the same to the Deputy Commissioner with particulars as regards the person making, or authorising the making of, the illegal payment. Disallowance by Government auditor and order by Deputy Commissioner.

(2) The Deputy Commissioner may, on the report of the auditor or on his own motion, pass an order charging any person responsible therefor the amount of any deficiency or loss incurred by the negligence or misconduct of that person or of any sum which ought to have been but is not brought into account by that person after affording him an opportunity to explain and shall, in every such case, certify the amount due from such person.

(3) The Deputy Commissioner shall state in writing the reasons for his decision in respect of every charge and furnish a copy thereof to the person against whom it is made.

79-E. Any person aggrieved by the order of the Deputy Commissioner under the last preceding section may, within one month after he has received or been served with the decision of the Deputy Commissioner, either apply to the principal civil court of original jurisdiction to set aside such charge and the court, in such case after taking such evidence as is necessary, may confirm, modify or remit such charge with such orders as to costs as it may think proper in the circumstances; or in lieu of such application, the person so aggrieved may, within the like period, appeal to the Government who shall pass such orders as it thinks fit.

79-F. Every sum certified to be due from any person by the Deputy Commissioner under this Regulation shall be paid by such person to the District Board within one month after the intimation to him of the said decision unless within that time such person has appealed to the court or to the Government against the decision; and such sum if not so paid, or such sum as the court or the Government shall declare to be due, shall be recoverable [illegible] the Deputy Commissioner as an arrear of land revenue [illegible]ng with the necessary expenses of such recovery and shall be credited to the district fund. Recovery of amounts disallowed.

79-G. The District Board shall, as soon as the annual accounts have been finally passed by it, transmit Transmission of accounts to Government.

to the Government, or any officer duly authorised by it in this behalf, a copy thereof, or an account in the form prescribed in this behalf, and shall furnish such details and vouchers relating to the same as the Government or such officer may, from time to time, direct.

Annual Administration Report.

79-H. (1) As soon as may be after the first day of July in every year and not later than such date as may be fixed by the Government, the President shall submit to Government through the Deputy Commissioner, a report on the administration of the Board during the preceding official year in such form and with such details, as the Government may direct, with the resolution of the District Board thereon.

(2) The report may be published in such manner as the District Board, subject to the approval of the Government, may direct.

Amendment of section 94.

20. In sub-section (1) of section 94 of the said Regulation, after the words "breach of peace" the words "or is unlawful" shall be inserted.

Amendment of section 95.

21. (1) After the word "balance" at the end of sub-section (2) of section 95 of the said Regulation, the words "and such person shall be bound to comply with such order" shall be inserted.

(2) For sub-section (3) of the said section, the following shall be substituted, namely :—

"(3) The provisions of sub-section (2) of section 94 shall apply, so far as may be, to any order made under this section."

Amendment of section 96.

22. In sub-section (1) of section 96 of the said Regulation, after the words "by or under this Regulation," the words "or by or under any enactment for the time being in force," shall be inserted and after the word "balance" at the end of sub-section (3) of the said section, the words "and such person shall be bound to comply with such order" shall be inserted.

Amendment of section 98.

23. Section 98 of the said Regulation shall be treated as sub-section (1) thereof and the following shall be inserted as sub-section (2) namely :—

"(2) No suit shall be entertained by a Civil Court in respect of any dispute referred to in sub-section (1)."

In sub-section (1) as re-numbered, the words 'Village Panchayets' shall be inserted after the words 'Municipal Councils.'

Amendment of section 100.

24. (1) In sub-section (2) of section 100 of the said Regulation, after the word "Committees" in clause (*c*),

the words "and to the interpellation of the President by the members and to the moving of resolutions at meetings of District Boards" shall be inserted.

(2) For clause (*n*) of the said sub-section, the following clause shall be substituted, namely:—

"(*n*) as to the conditions under which rate-payers may appear before the Government auditor, inspect books and vouchers and take exception to items entered in the accounts or omitted therefrom."

(3) Clause (*r*) of the said sub-section shall be renumbered as clause (*s*), the following new clause being inserted after clause (*q*), namely:—

"(*r*) for prescribing punishment not exceeding five hundred ruppes for breach of any rule and also a further fine which may extend to twenty-five rupees for every day on which such breach continues after the date of conviction or any subsequent date, as may be fixed by the Magistrate."

Addition of a new section as 100 A. Delegation of powers by Government.

25. After section 100 of the said Regulation, the following new section shall be inserted, namely,

"100A. The Government may delegate all or any of its powers under this Regulation to any officer subordinate to it."

Amendment of section 106.

26. Section 106 of the said Regulation shall be treated as sub-section (1) thereof and the following shall be inserted as sub-section (2) thereof, namely:—

"(2) Nothing in this section shall be deemed to apply to any suit instituted under section 54 of the Specific Relief Act, 1877, as in force in Mysore."

Amendment of section 108.

27. After sub-section (2) of Section 108 of the said Regulation, the following sub-sections shall be inserted, namely:

"(3) Nothing contained in this section shall prevent the District Board allowing any temporary occupation of or erections in any public street on occasions of festivals and ceremonies, and in such manner, as not to inconvenience the public or any individual.

(4) Nothing contained in this section shall apply to any projection duly authorised by the District Board or in any case where permission has been given under sub-section (3) of this section."

Amendment of schedule II

28. In clause (*a*) of schedule II of the said Regulation, between the words "As" and "a", the words "a slaughter-house or as" shall be inserted.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 1137—Legis. 46-35-90, dated Bangalore, 11th August 1936.

SUBJECT.—Composition of Tolls in respect of a single toll-bar.

In exercise of the powers conferred upon them under Section 21 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja of Mysore are pleased to issue the following amendment to Rule 18 of the * Rules for the composition of tolls in respect of a single toll-bar, the draft notification in this behalf having been published with Notification No. P. 8491, dated 24th June 1936 at page 311, Part IV of the *Mysore Gazette* dated 25th June 1936.

AMENDMENT.

Put a full stop after the word "Taluk" occurring in line 6 and delete the remaining portion of the first sentence.

The Rule after this amendment will read as follows :—

"18. *Rules applicable to carts drawn by a single bullock or two bullocks.*—Every person who wishes to compound for tolls in respect of his bullock cart at any one toll-gate at which such composition is allowed, shall present a written application in the form prescribed for the purpose, to the Amildar of the Taluk. He shall further produce the vehicle before the said officer."

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

* Issued with Notification No. P. 3443—Legis. 46-35-10, dated 27th November 1936.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. R. 807—L. S. 91-35-4, dated Bangalore, 18—19th August 1936.

Under Section 17 (1) of the Record of Rights Regulation X of 1927 the Government of His Highness the Maharaja of Mysore are pleased to issue the following amendment to Rule 38 A of the Rules under the said Regulation :—

The Sub-Para under Rule 38 A of the Rules will be amended so as to read as follows :—

"No fee shall be charged in the case of grant of lands on darkhasts to private individuals and in the case of purchase of lands in sales held for arrears of revenue."

By Order,

B. T. KESAVIENGAR,

Offg. *Chief Secretary to Government.*

No. P. 1200—R. T. 6-36-3, dated Bangalore, the 14—15th August 1936.

Opening a Check Toll-gate.

In virtue of the powers vested in them under Sections 14 and 15 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to direct (*i*) that a check toll-gate be opened near the 14th mile stone in the Ramanathapur-Frazerpet Road at the junction of Siddapur-Bannur Village Road in the Arkalgud Taluk and (*ii*) that this toll-gate and the Sathehalla Toll-gate (three miles distant from the former) be treated as one toll-gate, the payment of toll at one gate exempting the vehicle, etc., from payment at the other.

No. P. 1246—Legis. 15-33-56, dated Bangalore, the 17th August 1936.

Driving Licenses.

The following draft amendment which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred on them under Section 11 of the Mysore Motor Vehicles Regulation 1928, is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 4th September 1936, and that any suggestions or objections which may be received from any person in respect of the said amendment before the date aforesaid will be considered by Government:—

Draft Amendment.

For Sub-Rule (iii) of Rule 16 of the Mysore Motor Vehicles Rules, the following rule shall be substituted:—

"16. (iii) The fee payable in respect of the grant or renewal of Driving Licenses shall be as follows, that is to say.—

	Rs.
(i) For the grant of a new License ...	5
(ii) For the renewal of a License:—	
(*a*) if presented for renewal before the date of expiry of its validity ...	3
(*b*) if not presented within the date of the said expiry ...	5

No. P. 1252—Legis. 46-35-91, dated 18th August 1936.

In exercise of the powers conferred on them under Section 22 of the Mysore Road Traffic and Taxes Regulation, the Government of His Highness the Maharaja are pleased to notify the following amendment to item (i) of para 1 of Notification No. P. 7768—Legis. 46-35, dated 22nd May 1936 :—

(i) Omit the word "and" occurring after "At all frontier toll-gates".

(ii) After the words "under Section 20 of the said Regulation" add the following words :—

"and *ad-hoc* bridge toll-gates to be notified in this behalf by Government from time to time".

2. This amendment will come into force from the date of this Notification.

No. P. 1261—Legis. 46-35-92, dated 18th August 1936.

In accordance with Notification No. P. 1252—Legis. 46-35-91, dated 18th August 1936, the Government of His Highness the Maharaja are pleased to declare the toll-gate on the Bridge across Thunga Bhadra at Honnali as an *ad-hoc* Bridge toll-gate.

No. P. 1262—R. T. 8-36-2, dated Bangalore, the 18th August 1936.

The mutsaddis of the Royalpad toll-gate in Kolar District are appointed Licensing Officers under the Mysore Road Traffic and Taxes Regulation VI of 1935 for the purpose of collection of vehicle taxes on motor bicycles and cars only and for the grant of licenses therefor.

2. The above Licensing Officers are empowered to collect the composition fee in lieu of tolls in respect of the

vehicles specified in Para. 1 above under Section 20 of the said Regulation and the rules issued thereunder and to issue tokens therefor.

3. This will take effect on and from the 1st September 1936.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,
General Department.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

Order No. P. 1402—Legis. 68-35, dated Bangalore, the 25th August 1936.

Ordered that the accompanying Regulation to repeal the Italian Loans and Credits Prohibition Regulation which received the assent of His Highness the Maharaja, on the eleventh day of August 1936, be published as Regulation X of 1936, in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION X OF 1936.

(Received the assent of His Highness the Maharaja on the eleventh day of August 1936.)

A Regulation to repeal the Italian Loans and Credits Prohibition Regulation, 1936.

Whereas it is expedient to repeal the Italian Loans and Credits Prohibition Emergency Regulation, 1936;

Now, therefore, in exercise of the powers conferred by section 12 of the Mysore Legislative Council Regulation, 1923, it is hereby enacted as follows:—

1. (i) This Regulation may be called the Italian Loans and Credits Prohibition Emergency Regulation, Repealing Regulation, 1936.

(ii) It shall come into force at once.

2. The Italian Loans and Credits Prohibition Emergency Regulation, 1936, is hereby repealed.

MIRZA M. ISMAIL,
Dewan.

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BANGALORE, THURSDAY, SEPTEMBER 3, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 1534—R.T. 3-36-6, dated Bangalore, the 31st August—1st September 1936.

Opening of a Frontier Toll-gate.

In virtue of the powers vested in them under Sections 14 and 15 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to direct that a new Frontier Toll-gate be opened at Veeranahosahalli on Hunsur-Murkhal road in Hunsur Taluk.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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BANGALORE, THURSDAY, SEPTEMBER 10, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. G. 1680—*P. H.* 10-35-7, *Dated Bangalore,* 1*st*—7*th September* 1936.

Under Section 1 (2) of the Mysore Prevention of Adulteration Regulation, IX of 1921, as amended by Regulations IV of 1929 and IV of 1930, Government are pleased to extend the provisions of the said Regulation to the Kolar Town in respect of milk (cow's and buffalo's), butter and ghee.

No. G. 1683—*P. H.* 10-35-8, *dated Bangalore,* 1*st*—7*th September* 1936.

Under Section 20 of the Mysore Prevention of Adulteration Regulation, IX of 1921, as amended by Regulations IV of 1929 and IV of 1930, Government propose to make the rules issued in Notification No. G. 2463—San. 61-30-7, dated 22nd September 1931 (annexed hereto) applicable to the Kolar Town Municipality. Any objections to this proposal, if made in writing and received on or before the 15th October 1936, will be duly considered.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,

General Department.

Rules under the Mysore Prevention of Adulteration Regulation.

1. In these rules, "Regulation" means the Mysore Prevention of Adulteration Regulation, IX of 1921.

"Section" means Section of the above Regulation.

Section 3.—

2. The Officer to whom the local executive officer may delegate his powers shall be of the rank of a Health Officer or shall hold the diploma of Public Health. No legal proceedings under the Regulation shall be instituted without the permission in writing of the President or the Commissioner as the case may be.

Section 20 (b).—

3. The area within which the local executive officer of a Municipal Council shall exercise powers shall be the Municipal limits of the place.

Section 20 (c).—

4. *Cleanliness of Vessels.*—All vessels, receptacles or utensils used for manufacturing or preparing food or containing any food intended for sale shall be cleansed with clean boiling water before and after use and shall be kept in a constant state of cleanliness. In case of food likely to be acted upon by the metal of the vessels, receptacles or utensils in which the food is manufactured prepared or contained for purposes of sale, precautions shall be taken to prevent such metallic contamination.

Section 20 (d).—

5. *How notice of admixture, addition or deficiency shall be given.*—If the vendor of any article intended for food knows that it is admixed with any foreign substance whatsoever or that any component part has been abstracted therefrom, he shall give due notice of such admixture or abstraction by means of distinct and clear labels in Kannada or in any other language likely to be read and understood by the people, affixed conspicuously on each package or receptacle containing the article. Unless the vendor of any food containing an admixture, addition or deficiency, knows of his own knowledge, that the purchaser is able to read and understand the label, he shall

give the purchaser the information contained in the label by word of mouth at the time of purchase.

Section 20 (e).—

6. The standards of purity prescribed for milk, cream, butter and ghee are as follows:—

Milk.—

Cow's milk.—(1) Where a sample of cow's milk (not being sold as skimmed or separated milk) contains less than three per cent of milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the milk is not genuine, by reason of the abstraction therefrom of milk fat or the addition thereto of water.

(2) When a sample of cow's milk or any skimmed or separated cow's milk contains less than 8·5 per cent of milk solids other than milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(3) When a sample of cow's milk whether sold as cow's milk or as skimmed or separated cow's milk contains less than 0·5 per cent of nitrogen, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

Buffalo milk.—(4) Where a sample of buffalo milk (not being sold as skimmed or separated milk), contains less than 4·5 per cent of milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk fat or the addition thereto of water.

(5) Where a sample of buffalo milk, whether sold as buffalo milk, or as skimmed or separated buffalo milk, contains less than nine per cent of milk solids other than milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

(6) Where a sample of buffalo milk, whether sold as buffalo milk or as skimmed or separated buffalo milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Regulation until the

contrary be proved, that the sample is not genuine, by reason of the addition thereto of water.

N.B.—The minimum limits for nitrogen prescribed above under (3) and (6) are intended to be used in those cases in which a sample of milk when it is analysed, is so far decomposed that an estimation of the proportion of milk solids other than milk fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

Unspecified milk.—(7) Where a sample of milk, separated milk or skimmed milk is sold or offered for sale or hawked about, without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits given for the cow's milk in the above, it appears to be adulterated, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum limit for dirt in milk.—(8) Where a sample of milk, separated or skimmed milk, deposits on standing for a period of 24 hours or less, an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine by reason of its containing an excessive amount of dirt.

Cream.—(9) Where a sample of cream contains less than 20 per cent of milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine.

Butter.—(10) Where the proportion of water in a sample of butter exceeds 20 per cent it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

Ghee.—(11) Where the proportion of water in a sample of ghee exceeds one per cent, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

Section 20 (f).—

7. (1) No person shall add water or any dried or condensed milk or any fluid reconstituted therefrom or any skimmed milk or separated milk to milk intended for sale,

and no person shall, by himself or by any servant or agent, sell or offer for sale or hawk about any milk to which any such addition has been made.

(2) No person shall abstract any ingredient from milk, without giving due notice of the same, in an unambiguous manner, of the fact of such abstraction therefrom, as prescribed in rules under section 20 (*d*).

(3) No person either by himself or any servant or agent, shall sell or offer for sale or hawk about as milk, any liquid in the making of which dried milk or condensed milk has been used or to which water or other diluent or adulterant has been added or from which any ingredient has been abstracted, without due notice of the same to the purchaser as prescribed in rule under section 20 (*d*).

Section 20 (*g*).—

8. Any receptacle containing dried, condensed, skimmed or separated milk shall be labelled with an adhesive label which shall contain the information and be of the size, indicated below. The information shall be in black type, printed or written in the centre of the label, which shall be of white colour. Nothing else shall be printed or written on the label, except the name of the article. The label shall be clearly visible to the purchaser and shall measure at least 2″×4″ where only Kannada is used or at least 4″×4″ where more than one language is employed.

Section 20 (*h*).—

9. (1) Any person taking a sample of milk for the purposes of this Regulation may add a preservative for the purpose of retaining the sample in a condition convenient for analytical purposes.

(2) The preservative used shall be the liquid commonly known as "formalin" which is a liquid containing about 40 per cent of formaldehyde in aqueous solution.

(3) The amount of preservative added shall be approximately in proportion of one drop of formalin for every 2 oz. of the sample of milk.

(4) Each sample of milk to which formalin has been added by the person taking the sample shall bear a notification on the label to the effect that it has been "artificially preserved."

(5) For the purposes of this rule, milk includes skimmed and separated milk.

10. *Penalty for breach of rules.*—Every manufacturer or dealer or vendor who—(*a*) disobeys, fails to comply with or acts in contravention of the provisions made under Rule 4 herein, in respect of cleanliness of vessels, receptacles or utensils used for manufacturing, preparing or containing any food intended for sale, or (*b*) neglects to affix labels to notify in the manner prescribed, the fact of the admixture of foreign ingredients in the case of adulterated articles of food or abstraction of any component part therefrom of any article of food, or (*c*) fails to give the purchaser in cases mentioned in Rule 5 information contained in such labels by word of mouth at the time of purchase, or (*d*) manufactures, deals in or sells milk, cream, butter or ghee below the standard prescribed in Rule 6 above shall, on conviction before a Magistrate, be punished with a fine not exceeding Rs. 50 and with a fine which may extend to Rs. 50 for every subsequent offence.

No. P. 1730—*R. T.* 8-36-4, *dated Bangalore, the 8th September* 1936.

The mutsaddis of the Kudumalkunte Frontier Toll-gate in the Kolar District are appointed Licensing Officers under the Mysore Road Traffic and Taxes Regulation No. VI of 1935 for the purpose of collection of vehicle taxes on motor bicycles and cars only and for the grant of licenses therefor.

2. The above Licensing Officers are empowered to collect the composition fee in lieu of tolls in respect of the vehicles specified in para 1 above under Section 20 of the said Regulation and the Rules issued thereunder and to issue tokens therefor.

3. This will take effect on and from 1st October 1936.

No. P. 1734—*Legis.* 15-33-57, *dated Bangalore, 8th September* 1936.

In exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation, 1928, the Government of His Highness the Maharaja are pleased to issue the following amendment to Rule 16 of the Mysore Motor Vehicles Rules, 1924, as amended from time to time, the draft amendment in the said behalf having been published with Notification No. P. 1246, dated 17th August 1936, at page 402 of Part IV of the *Mysore Gazette*, dated 20th August 1936.

For Sub-Rule (iii) of Rule 16 of the Mysore Motor Vehicles Rules, 1924, the following rule shall be substituted :—

"16. (iii) The fee payable in respect of the grant or renewal of Driving Licenses shall be as follows :—

	Rs.
(i) For the grant of a new License ...	5
(ii) For the renewal of a License :—	
(*a*) if presented for renewal before the date of expiry of its validity ...	3
(*b*) if not presented within the date of the said expiry of validity ...	5

This will come into force on and from the 11th September 1936.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,

General Department.

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BANGALORE, THURSDAY, SEPTEMBER 17, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 1817—R.T. 2-36-9, dated Bangalore, the 11—12th September 1936.

In virtue of the powers vested in them under Sections 14 and 15 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to direct that the present location of the Bethamangala Frontier Toll-gate near Venkatagirikote as notified in Notification No. P. 7618—Legis. 46-35-37, dated 16th May 1936, be shifted to Hulkur, about $2\frac{1}{2}$ miles towards the interior.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

No. Rl. 189—L. C. 3-33-1, dated Bangalore, the 16th September 1936.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill to amend the Mysore Religious and Charitable Institutions Regulation, 1927, is published for general information.

By Order,
C. SUBRAHMANYA IYER,
Secretary,
Mysore Legislative Council.

Report of the Select Committee on the Bill to amend the Mysore Religious and Charitable Institutions Regulation, 1927.

* We, the undersigned members of the Select Committee, to which the Bill to amend the Mysore Religious and Charitable Institutions Regulation, 1927, was referred to have considered the Bill and have now the honor to submit this our report.

We have considered the points raised during the discussions in the Representative Assembly and Legislative Council and we do not find any reason to change the wording in the Bill.

(Sd.) K. R. Srinivasa Iyengar.
„ K. T. Bhashyam Aiyangar.
„ M. Venkatesa Iyengar.
„ S. P. Rajagopalachari
(*Chairman*).

* Messrs. K. V. Anantaraman and B. S. Puttaswamy were unable to be present at the meeting.

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BANGALORE, THURSDAY, SEPTEMBER 24, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. Rl. 193—L.C. 3-36-2, dated Bangalore, 22nd September 1936.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill further to amend the Mysore Agriculturists' Relief Regulation.....is published for general information.

By Order,

A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

Report of the Select Committee on the Bill to amend the Agriculturists' Relief Regulation.

We, the undersigned members of the Select Committee to which the Bill to amend the Agriculturists' Relief

Regulation was referred, have considered the Bill and have now the honor to submit this our report :—

We agree to the Bill and only propose a verbal amendment to the effect that the words "in suits filed after— " be transferred to the end of the clause.

(Sd.) K. V. Anantaraman.
" B. T. Kesaviengar.
" D. H. Chandrasekharaiya
(subject to a note.)
" N. V. Narayanamurthy.
" T. Madiah Gowda
(subject to a note.*)
" A. R. Nagesvara Iyer.
" S. P. Rajagopalachari (Chairman).

A Note by Mr. D. H. Chandrasekharaiya.

The proposed amendment though simple, has obviously far-reaching results on the rights of the agriculturists. It has a close bearing on Section 2 (*c*) of the Regulation which is itself found to be rather difficult of interpretation and application and in fact, it modifies that section so as to curtail the liberty of the agriculturists to raise questions of status at any time.

2. As the principle of this amendment is already accepted by the Legislature, the Select Committee has certainly no powers to go behind it. But at the same time a clear enunciation of that principle and its proper application to different sets of circumstances deserve our careful consideration to avoid all ambiguity and indefiniteness in legislation. With this object in view, let us try to understand what the " Earliest possible opportunity" would mean in the following cases :—

(1) When a party is personally served with summons or notice as the case may be and he appears in pursuance thereof in the case, (2) when he is personally served with summons or notice and he does not appear in the case for any sufficient cause till after the decree, (3) when he is not personally served with summons or notice but the process is returned with an endorsement of service on house or on refusal and the same is held sufficient service.

*The note has not been sent by Mr. T. Madiah Gowda.

3. Of the three possible cases mentioned above, the first is the simplest to understand and the easiest to determine as to when "the earliest possible opportunity" arises. But the difficulty comes in when the circumstances of the other two cases, in which *ex parte* decrees would possibly have been passed, are taken into account. Can we say in such cases that a party has lost "the earliest possible opportunity" for raising the question of status and if not when can we say he would have it? A party who is served, as in the second case above, may be permitted by any sufficient cause from appearing in the case before the decree and to hold in such a case that he has deprived himself of "the earliest possible opportunity" would be nothing short of causing a great hardship to him. So, it would be most equitable to allow a party to raise the question of status within a given time, say a period of 30 days from the date of the decree, and to deem that period "the earliest possible opportunity" for the purpose.

The third case, in which a party is not at all personally served but the service is held sufficient for the purposes of passing an *ex parte* decree, is even harder. What is "the earliest possible opportunity" to such a person? It is unfortunately within our experience that decrees are sometimes obtained without the opposite parties ever coming to know of the filing of the suits thus frustrating the very object of the Regulation. A party after coming to know of the *ex parte* decree might not desire to file an application for setting it aside and it is not easy either to get *ex parte* decrees set aside especially after lapse of some time. But to prevent him from getting the reliefs to which he is entitled under the Regulation for no fault of his, while he suffers the decree to stand good, would not be just and proper. The purpose of the Regulation would, therefore, be served if, in such a case, a party is allowed some time, say a period of 30 days after he comes to know of the suit or decree, for the determination of the "earliest possible opportunity." The Regulation intends to give certain reliefs to the agriculturists who form the back-bone of the State and it is submitted that so long as it stands nothing should be done to whittle down its good effects.

4. In view of the foregoing reasons and circumstances, the following may be added to the proposed announcement

to explain what "the earliest possible opportunity" means:—

"The earliest possible opportunity" in the above sub-section shall (1) in suits in which a party is personally served with summons or notice and he does not appear in the case in pursuance thereof, be taken to mean any time within a period of 30 days from the date of decree and (2) in suits in which a party is not personally served with summons or notice and he does not appear in the case in pursuance thereof, be taken to mean any time within a period of 30 days from the date of his knowledge of the particular suit or decree."

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BANGALORE, THURSDAY, OCTOBER 1, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 2036—*Legis.* 17-36-3, *dated Bangalore, the* 23*rd*—24*th September* 1936.

Under Rule 30 of the Rules framed under Section 8 of the Cinematograph Regulation, 1923, for the regulation of Cinematograph exhibitions in the State and in modification of Notification No. P. 6003—Legis. 20-24-6, dated 30th April 1925 and notification No. P. 6412—Legis. 51-27-5, dated 24th April 1928, the Government of His Highness the Maharaja are pleased to appoint the Government Electric Inspector, Electrical Department, as the Electrical Inspector for the purpose of the said rules for all the cinematograph installations in the State.

ADDENDA AND CORRIGENDA SLIP TO LAND REVENUE RULES.

Official Memorandum No. R. 1288, dated 28th September 1936.

In pursuance of Government Order No. R. 1278-87—L. R. 33-36-2, dated 28th September 1936, the words "or building" shall be added after the words "for industrial or manufacturing" in the first para of Rule 29 of the Rules under the Land Revenue Code.

The first para of the amended rule will read as follows:—

"The rates of special assessment leviable under Section 48 of the Land Revenue Code, when any of the lands mentioned in it as being chargeable with land revenue is appropriated for industrial or manufacturing or building purposes will be as follows:—

(*a*) At Rs. 10 per acre in Bangalore and Mysore Cities.

(*b*) At Rs. 8 per acre in other District Headquarter Towns and in the Town of Davangere.

(*c*) At Rs. 6 per acre in all other places."

By Order,

B. T. KESAVIENGAR,

Offg. *Chief Secretary to Government.*

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BANGALORE, THURSDAY, OCTOBER 8, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

Notification No. Rl. 217—L. C. 3-36-3, Bangalore, dated 1st October 1936.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Maternity Benefit Bill is published for general information.

By Order,
A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

Report of the Select Committee on the Maternity Benefit Bill.

*We, the members of the Select Committee to which the Maternity Benefit Bill has been referred, have considered the several clauses of the Bill and have now the honor to submit this our Report :—

Clause 8.—We recommend that the present clause may be made as sub-clause (i) and that the following clauses corresponding to sub-section (ii) of Section 8 of the Madras Maternity Benefit Act be added—

8 (ii) (*a*) "No notice of dismissal given without sufficient cause by an employer to a woman worker within a period of three months before her confinement shall have the effect of depriving her of any maternity benefit to which but for such notice she would have been, or would on or before the date of her confinement have become, entitled under this Regulation.

(*b*) If any question arises as to whether any notice of dismissal given under clause (*a*) was or was not given for sufficient cause, it shall be referred to the Inspector of Factories whose decision shall be final.

(*c*) The provisions of this sub-section shall not apply to notices falling under sub-section (i)."

The Bill need not be published again as no material changes have been made in it.

(Sd.) N. Madhava Rau (*Chairman*),
,, A. V. Ramanathan,
,, M. Venkatanaranappa,
,, S. Subba Rao,
,, S. Abdul Wajid,
,, P. Murugesam Pillay,
,, K. T. Bhashyam Iyengar.

* Messrs F. L. Silva and T. Ramachandra were unable to be present.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. D. 2608—*C. S.* 56-35-9, *dated Bangalore, the* 8—*9th October* 1936.

The Government of His Highness the Maharaja of Mysore are pleased to make the following rules under Section 66 (4) of the Mysore Co-operative Societies Regulation VII of 1918 as amended from time to time for the distraint, preservation and sale of standing crops on property mortgaged to co-operative societies:—

1. On receipt of an application from the Committee of a Bank under Section 66 of the Mysore Co-operative Societies Regulation for the recovery of any instalment or part thereof under a mortgage executed in favour of the Bank by distraint and sale of the produce of the mortgaged land including the standing crops thereon, the Registrar may, after satisfying himself that the instalment or any part of such instalment has remained unpaid for more than one month from the date on which it fell due and that the application has been made within twelve months from the date on which the instalment fell due, pass an order for the distraint of a sufficient part of the produce of the mortgaged land including the standing crops thereon.

2. On passing such an order, the Registrar shall send a requisition to the Deputy Commissioner of the

District in which such land is situate to effect the distraint together with a copy of his order.

3. On receipt of such a requisition from the Registrar, it shall be lawful for the Deputy Commissioner—

(*a*) to require that the crop growing on the mortgaged land shall not be reaped until a notice in writing has first been given to himself or to some other officer to be named by him in this behalf and such notice has been returned endorsed with an acknowledgment of its receipt;

(*b*) to direct that no such crop shall be removed from the land on which it has been reaped or from any place in which it may have been deposited without the written permission of himself or of some other officer as aforesaid;

(*c*) to arrange for the crop being reaped and deposited when it is not done in time by any holder of the land and delay is likely to result in damage to the produce and to realise the cost of labour thereby incurred from the sale proceeds of the crop;

(*d*) to cause watchmen to be placed over any such crop to prevent the unlawful reaping or removal of the same and to realise the amount required for the remuneration of the said watchmen.

4. The Deputy Commissioner's orders under either clause (*a*) or (*b*) of the above rule shall be made known by service of a notice thereof on the holder or holders of the mortgaged land, by public proclamation, by beat of drum in the village and by affixing a copy of the order in the Chavadi or some other public building in the village in which the mortgaged land is situate.

5. Any person who shall disobey any such order after the same has been so proclaimed or a notice thereof has been served upon him or who shall within the meaning of the Indian Penal Code abet the disobedience of any such order shall, on conviction after summary enquiry by the Deputy Commissioner, be liable to pay a fine not exceeding double the amount for which it had been attached.

6. If, within two months after the crop has been deposited, the amount due together with costs has not been paid, the Deputy Commissioner shall proceed to realise it by sale of such portion of the crop as is necessary, provided that the limit of two months shall not apply to articles of a perishable nature, which shall be sold immediately.

7. When the sale of the distrained produce is ordered, the Deputy Commissioner shall issue a proclamation in Kannada of the intended sale, specifying the amount due, the time and place of sale and whether the sale is subject to confirmation or not. Such proclamation shall be made by beat of *tom tom* in the village in which the property is seized.

8. A written notice of the intended sale shall be affixed in the Amildar's or the Deputy Amildar's Office and in the Chavadi or other public building in the village in which the produce was seized.

9. Sales shall be made by auction by such persons as the Deputy Commissioner may direct. No such sale shall take place on a General Holiday recognised by Government or until the expiration of at least seven days from the latest date on which the notice shall have been affixed as required by the last preceding rule.

The sale may, from time to time, be postponed for any sufficient reason.

10. Nothing in the last three rules applies to the sale of perishable articles.

11. If the defaulter or any person on his behalf pays the instalment due together with such other charges legally due by him before the property is knocked down, to the officer appointed to conduct the sale or if he furnished adequate security, the sale shall be stayed.

12. Sale of perishable articles shall be finally concluded by the officer conducting such sales. All other sales finally concluded by the officer conducting the sales shall be subject to confirmation of such officer, as may be directed in orders to be made by the Deputy Commissioner.

13. When the sale of any moveable property is finally concluded by the officer conducting the same, the price of every lot shall be paid for at the time of sale or as soon after as the said officer shall direct and in default of such payment the property shall forthwith be again put up and sold. On payment of the purchase money, the officer holding the sale shall grant a receipt for the same and the sale shall become absolute as against all persons whomsoever.

14. When the sale of any moveable property is subject to confirmation, the party who is declared to be the purchaser shall be required to deposit immediately 25 per cent on the amount of his bid and in default of such deposit, the property shall forthwith be again put up and

sold. The full amount of the purchase money shall be paid by the purchaser before sunset of the day after he is informed of the sale having been confirmed or if the said day be an authorised holiday, then before sunset of the first office day after such day. On payment of such full amount of the purchase money, the purchaser shall be granted a receipt for the same and the sale shall become absolute against all persons whatsoever.

15. In default of payment within the prescribed period of the full amount of purchase money, the deposit after defraying thereout the expenses of the sale shall, at the discretion of the Deputy Commissioner, be liable to be forfeited to Government either wholly or in part and the property shall be resold and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may be subsequently sold.

16. If the proceeds of the resale which is held by reason of the purchaser's default be less than the price bid by such defaulting purchaser, the difference shall be recoverable from him by the Deputy Commissioner as an arrear of land revenue.

17. Every resale of property in default of payment of the purchase money or after the postponement of the first sale, shall, except when such resale takes place forthwith, be made after the issue of a fresh notice in the manner prescribed for original sales.

18. Where the sale of any property is not confirmed or is set aside, the purchaser shall be entitled to receive back his deposit or his purchase money as the case may be.

19. When any sale becomes absolute, the proceeds shall be credited to the Taluk Treasury to the account of the creditor Bank and the fact intimated to it or the amount due shall be remitted by a Remittance Transfer Receipt after defraying the expenses of watch and sale.

20. If any claim be set up by a third person to moveable property attached under these provisions, the Deputy Commissioner shall admit or reject his claim on a summary inquiry held after reasonable notice. If the claim be admitted wholly or partly, the property shall be dealt with accordingly. Except in so far as it is admitted, the property shall be sold and the title of the purchaser shall be good for all purposes, and the proceeds disposable as aforesaid.

No. P. 2490—*R. T.* 23-36-1, *dated Bangalore, 13th October* 1936.

In exercise of powers conferred by Section 8 and Sub-Section 3 (a) of Section 9 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, as amended by Regulation No. IX of 1936, the Government of His Highness the Maharaja of Mysore are pleased to direct the levy on and from the 20th October 1936 of the following taxes on motor vehicles belonging to or in possession and control of persons not ordinarily residing in Mysore and used or kept for use in Mysore by such persons for periods shorter than the half-year or the quarter as the case may be but not exceeding 7 days and 30 days at a time.

Rates of Taxes.

SCHEDULE II—E.

VEHICLE TAX.

Class of vehicles	For periods not exceeding 7 days at a time	For periods exceeding 7 days but not exceeding 30 days at a time
	Rs. a. p.	Rs. a. p.
1. Motor cycles without side car ...	1 0 0	3 0 0
Do with side car or tricycle.	1 4 0	3 12 0
2. Motor cars constructed or adapted to carry in all not more than seven persons including the driver—		
(*a*) weighing not more than 15 cwts. unladen ...	2 0 0	6 0 0
(*b*) weighing more than 15 cwts. unladen	3 0 0	9 0 0
3. Motor cars constructed or adapted to carry eight persons or more including the driver	10 0 0.	30 0 0

SERVICE TAX.

Motor cabs and motor buses— For every person the vehicle is licensed to carry	1 8 0	3 0 0

MILEAGE CESS.

Motor buses ...	... 9 pies per mile.

ROAD TAX.

Class of Vehicles	For periods not exceeding 7 days at a time		For periods exceeding 7 days but not exceeding 30 days at a time	
	Not let or plied for hire	Let or plied for hire	Not let or plied for hire	Let or plied for hire
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
I. Motor Lorries without trailers.—				
(a) Not exceeding 15 cwts. in weight unladen.	6 0	9 0	12 0	18 0
(b) Exceeding 15 cwts. but not exceeding 25 cwts. in weight, unladen.	10 0	15 0	20 0	30 0
(c) Exceeding 25 cwts. but not exceeding 30 cwts. in weight, unladen.	14 0	21 0	28 0	42 0
(d) Exceeding 30 cwts. but not exceeding 35 cwts. in weight, unladen.	18 0	27 0	36 0	54 0
(e) Exceeding 35 cwts. but not exceeding 50 cwts. in weight, unladen.	22 8	33 12	45 0	67 8
(f) Exceeding 50 cwts. but not exceeding 70 cwts. in weight, unladen.	30 0	45 0	60 0	90 0
(g) Exceeding 70 cwts. but not exceeding 100 cwts. in weight, unladen.	35 0	52 8	70 0	105 0
(h) Exceeding 100 cwts.	50 0	75 0	100 0	150 0

Provisos:—

(1) In all cases vehicles not fitted with pneumatic tyres on all wheels shall be liable to one and half times the rate of tax prescribed above for the respective class of the vehicle.

(2) The vehicles liable to the Vehicle Tax, the Road Tax, the Service Tax and the Mileage Cess shall be subject to the privileges, conditions, exemptions and limitations specified in the Schedule relating to that tax, amongst Schedules II-A to II-D.

No. P. 2491—*R. T.* 23-36-2, *dated* 13*th October* 1936.

In exercise of powers conferred on them by Sections 8 and 9 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, as amended by Regulation No. IX of 1936, the Government of His Highness the Maharaja are pleased to notify that the license for the tax prescribed under Sub-Section 3 (a) of Section 9 shall be in the following form :—

MYSORE MOTOR TAXES.

SHORT TERM LICENSES.

FOR

7

DAYS

L. No. S. W. ....
Reg. No. .....
Make.....
Class.....

U. W. .....
Seats .....
Tax .....
No Tolls .....

From.....
Expires..... .....

Seat *Licensing Officer.*

MYSORE MOTOR TAXES.

SHORT TERM LICENSES.

FOR

30

DAYS

L. No. S. M. .....
Reg. No. .....
Make.....
Class.....

U. W. .....
Seats .....
Tax .....
No Tolls .....

From.....
Expires.....

Seat *Licensing Officer.*

This license should be carried on the front glass windscreen on the near or left lower corner of the glass of such windscreen or within two inches of that glass either in front or behind so as to be clearly visible in front at all times by daylight whether such vehicle is moving or stationary.

No. P. 2492—*R. T.* 23-36-3, *dated* 13*th October* 1936.

In exercise of the powers conferred by Section 2 of the Regulation to amend the Mysore Road Traffic and Taxes Regulation No. IX of 1936, the Government of His Highness the Maharaja are pleased to direct that the said Regulation shall come into force on and from the 20th day of October 1936.

No. P. 2493—*R. T.* 23-36-4, *dated Bangalore,* 13*th October* 1936.

In exercise of powers conferred on them under Sections 8 and 9 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935 as amended by Regulation No. IX of 1936, the Government of His Highness the Maharaja of Mysore are pleased to notify the following orders in regard to the levy of taxes on motor vehicles belonging to or in possession and control of persons not ordinarily residing in Mysore and used or kept for use in Mysore by such persons for periods shorter than the half-year or the quarter as the case may be but not exceeding 30 days at a time :—

(i) The 7-day license forms will bear the distinctive letter of the alphabet S. W. and the 30-day license the distinctive letters S. M. These licenses will be progressively numbered from 1 onwards.

(ii) The 7-day license will be printed on red paper and the 30-day license on badami or yellow paper.

(iii) For purposes of these licenses a day will count from 6 A.M. to 6 A.M. on the next day. Thus a 7-day license issued at 1 P.M. on the 20th October 1936 will be available till 6 A.M. on the 27th October.

(iv) No refunds are allowed on these licenses.

(v) Except as specified above, the Mysore Motor Tax Vehicles Rules will *mutatis mutandis* apply to these licenses.

(vi) From the date these orders come to force, *viz.*, 20th October 1936, the Notification No. P. 5818, dated 2nd March 1936, will cease to be of effect.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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BANGALORE, THURSDAY, OCTOBER 29, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 2560—*R. T.* 8-36-8, *dated Banglore, the* 17*th October* 1936.

The Mutsaddis of the undermentioned frontier toll-gates are appointed Licensing Officers under the Road Traffic and Taxes Regulation No. VI of 1935 for the purpose of collection of vehicle taxes on motor bicycles and cars only and for the grant of licenses therefor :—

(i) Karepalya toll-gate in the Mysore District.
(ii) Ghantamvaripalli toll-gate in the Kolar District.
(iii) Thammenahalli toll-gate in the Chitaldrug District.

2. The above Licensing Officers are empowered to collect the composition fee in lieu of tolls in respect of the vehicles specified in para 1 above under Section 20 of the said Regulation and the Rules issued thereunder and to issue tokens therefor.

3. This will take effect on and from the 30th October 1936.

No. P. 2728—R. T. 27-36-2, dated Bangalore, 21st—22nd October 1936.

In virtue of the powers vested in them under Sections 14 and 15 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to direct that the present location of the Karepalya Frontier Toll-gate in the Mysore District be shifted to Punjur, about three miles towards the interior.

No. Fl. 2700—St. 5-36-6, dated Bangalore, the 20th October 1936.

In exercise of the powers conferred by Clause (a) of Section 9 of the Mysore Stamp Regulation II of 1900, as amended from time to time, and in continuation of the Notification No. Fl. 6309—St. 25-31-2, dated 30th January 1932, the Government of His Highness the Maharaja of Mysore are pleased to remit for a further period of three years from 1st February 1937 the Stamp Duty chargeable under Article 45 of Schedule I of the said Regulation on the Policies of the Public Branch of the Mysore State Life Insurance Scheme.

No. (Camp) P. 5—Legis. dated (Camp) Mysore, the 25—27th October 1936.

The addition of the following proviso to Rule 4 of the Rules relating to the levy of tolls published with Notification No. P. 3443—Legis. 46-35, dated 27th November 1935, which the Government propose to make in exercise of the powers conferred upon them under Section 14 of the Mysore Road Traffic and Taxes Regulation VI of 1935, is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th November 1936, and that any suggestions or objections which may be received from any person in respect of the said proviso within that date will be considered by Government.

Draft Rule.

Add the following as proviso to Rule 4 of the Rules relating to the levy of tolls published with Notification No. P. 3443—Legis. 46-35, dated 27th November 1935:—

"Provided that in those cases in which such a vehicle when it subsequently passes the toll-bar, gate or station within the said 24 hours becomes liable, except for this rule, to a higher rate of toll than that already paid, the difference between the higher rate of toll, that is thus due and the toll already paid shall be payable."

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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BANGALORE, THURSDAY, NOVEMBER 5, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 2828—*Pol.* 59-36-4, *dated Bangalore the* 27—29*th October* 1936.

In exercise of the powers conferred by Section 22 of the Mysore Arms Regulation (Regulation VI of 1890), the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Mysore Arms Rules, 1926, namely :-

In Schedule I to the said Rules in the entries in the second column relating to items 1 to 4, 6 (a) and (1) and 13 after clause (f) the following clause shall be inserted, namely :—

"(*g*) Appliances (including pistols, pistol pens, pistol pencils, hand grenades, cartridges, etc.) for discharging gas".

By Order,

B. T. KESAVIENGAR,

Offg. *Chief Secretary to Government.*

No. P. 2897—R.T. 8-36-9, dated Bangalore, the 4th November 1936.

In exercise of the powers conferred upon them under Sections 14 and 15 of the Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to direct that the reciprocal exemption between Koppa and Muthur toll-gates ordered in Government Order No. R. 3178-81—R. M. 50-33-20, dated 2nd—3rd January 1936 whereby payment of tolls at one of the gates exempts the vehicle from similar payment of tolls at the other gate, be cancelled with effect from 15th November 1936.

No. P. 2901—*R. T.* 8-36-10, *dated Bangalore, the 4th November* 1936.

The mutsaddis of the undermentioned frontier toll-gates in the Mysore District are appointed Licensing Officers under the Road Traffic and Taxes Regulation No. VI of 1935 for the purpose of collection of vehicle taxes on motor bicycles and cars only and for the grant of licenses therefor:—

(i) Anechowkur in Hunsur Taluk.
(ii) Mochur in Heggaddevankote Taluk.
(iii) Mulehole in Gundlupet Taluk.
(iv) Sivasamudram in Malavalli Taluk.

2. The above Licensing Officers are empowered to collect the composition fee in lieu of tolls in respect of the vehicles specified in para 1 above under Section 20 of the said Regulation and the Rules issued thereunder and to issue tokens therefor.

3. This will take effect on and from the 15th November 1936.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

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BANGALORE, THURSDAY, NOVEMBER 12, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. P. 3023—R. T. 9-36-3, dated Bangalore, the 5—6th November 1936.

In exercise of the powers conferred upon them under Section 13 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to exempt the two motor buses plying solely within the Mysore City Municipal area for conveying the girls attending the Urdu Girls' Schools in Mysore City from payment of the mileage cess leviable under Schedule II-D of the said Regulation.

No. P. 3129—R. T. 29-36-1, dated Bangalore, the 11th November 1936.

The Secretaries of the Western India Automobile Association, Bombay, and the Automobile Association of Southern India, Madras, are appointed Licensing Officers as a temporary measure, under the Mysore Road Traffic and Taxes Regulation No. VI of 1935 for the purpose of issuing short term licenses to members of their Associations visiting Mysore for their motor bicycles and cars only and for collection of vehicle taxes due thereon.

This arrangement will take effect from 20th November 1936.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,
General Department.

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BANGALORE, THURSDAY, NOVEMBER 26, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 3306—*Pol.* 77-36-4, *dated Bangalore, the* 18—19*th November* 1936.

In exercise of the powers conferred by Section 21 of the Mysore Criminal Tribes Regulation VII of 1916 as amended from time to time. The Government of His Highness the Maharaja are pleased to issue the following amendment to Rule 32 of the Rules made under the said Regulation (and published with Notification No. P. 4668—Pol. 135-33-3, dated 7—9th April 1934), namely:—

Insert the following as the Second proviso to rule 32 of the said Rules, namely:—

Provided, further, that in urgent cases when there is definite information regarding the place of abode of a criminal tribe member who has taken refuge in the Mysore State or when there are any clues leading to the detection of a case under investigation and the delay in obtaining the passports from the District Superintendents of Police is likely to defeat the object of sending the informants, the Circle Inspector or the Sub-Divisional

Officer may issue the necessary passports to members of the Criminal Tribes who are informants when they are accompanied by a Police Constable of the District who will be held responsible for the Criminal Tribe Member duly reporting each night at the place he halts either to the Patel of the Village or the Officer in charge of the Police Station or Outpost where there is one. In such cases due intimation should also be given by the Officer who issues the passport to the District Superintendent of Police in Mysore in whose jurisdiction the informants are to move and a copy of the passport so issued with a note explaining the circumstances which necessitated the issue of the same, should be forwarded through the concerned Superintendent of Police of the British Indian District to the Inspector-General of Police in Mysore for counter-signature.

By Order,

B. T. KESAVAIENGAR,

Offg. *Chief Secretary to Government.*

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BANGALORE, THURSDAY, DECEMBER 3, 1936.

PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. 2139—*L. C. Bangalore, dated* 26*th November* 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council the accompanying Bill further to amend the Mysore Village Panchayet Regulation, 1926, is published for general information with the statement of objects and reasons.

By Order,

A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

Bill Further to amend the Mysore Village Panchayet Regulation, 1926.

Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows:— Preamble.

After Section 58, the following shall be added as Section 58 A:— Addition of Section 58 A.

"58 A (1) If the circumstances of any village or part of a village are in the opinion of the Government

such that all or any of the provisions of this Regulation are unsuited thereto, the Government may by notification in the Official Gazette exempt the village or part of the village from the operation of those provisions and thereupon those provisions shall not apply to the exempted village or part of the village until again applied thereto by a subsequent notification of the Government.

"(2). While any notification under the former part of sub-section (1) of this section is in force, the Government may make rules to provide for any matter dealt with by the provisions of this Regulation for the exempted areas to which the notification applies. Such rules when published in the Official Gazette shall have the force of law."

STATEMENT OF OBJECTS AND REASONS.

Under Section 3 (10) of the Village Panchayet Regulation, the term "Village" is defined to mean a local area recognised by the Government to be a village for the purposes of collecting the land revenue. A revenue village may not always be a most convenient unit for purposes of Panchayet administration. It may be necessary to constitute a portion of a village as a special Panchayet with special powers as in cases where an industrial area has sprung up in a village, such as the Mandya Sugar Factory or the Bhadravati Iron Works. It is therefore proposed by this bill to add a section to the Village Panchayet Regulation on the lines of Section 102 of the District Boards Regulation to enable the Government to exclude any particular area in a village from the operation of the provisions of the Village Panchayet Regulation, and constitute such excluded area into a special Panchayet with special powers.

No. 2156—L. C., Bangalore, dated 26th November 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill for the Regulation of Wireless Telegraphy in Mysore is published for general information with the statement of objects and reasons.

By Order,
A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

A Bill for the Regulation of Wireless Telegraphy in Mysore.

Whereas it is expedient to regulate the establishment, maintenance, working and possession of wireless telegraphy apparatus in Mysore; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Wireless Telegraphy Regulation, 193 .

(2) It extends to the whole of Mysore.

(3) It shall come into force on such date as the Government may by notification in the Official Gazette, appoint.

Definitions.

2. In this Regulation unless there is anything repugnant in the subject or context:—

(1) "Wireless communication" means the making, transmitting or receiving of telegraphic, telephonic or other communications by means of electricity or magnetism without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

(2) "wireless telegraphy apparatus." means any apparatus, appliance, instrument or material used or capable of use in wireless communication, and includes any article determined by rule made under Section 14 to be wireless telegraphy apparatus, but does not include any such apparatus, appliance, instrument or material commonly used for other electrical purposes, unless it has been specially designed or adapted for wireless communication or forms part of some apparatus, appliance, instrument or material specially so designed or adapted, nor any article determined by rule made under Section 14 not to be wireless telegraphy apparatus; and

(3) "prescribed" means prescribed by rules made under Section 14.

Prohibition of possession of wireless telegraphy apparatus without license.

3. Save as provided by Section 4, no person shall establish, maintain, work or possess wireless telegraphy apparatus except under and in accordance with a license issued under this Regulation.

Power of Government to exempt persons from provisions of the Regulation.

4. The Government may by rules made under this Regulation exempt any person or any class of persons from the provisions of this Regulation either generally or subject to prescribed conditions, or in respect of specified wireless telegraphy apparatus.

Licenses.

5. (1) The Government may, by notification in the Official Gazette, constitute the authority who shall be competent to issue licenses to establish, maintain, work or possess wireless telegraphy apparatus under this Regulation. Such authority may issue licenses in such manner, subject to such restrictions and conditions and subject to such payments, as may be prescribed.

Revocation of Licenses.

(2) The Government or the authority constituted under sub-section (1) may, at any time, revoke any license granted thereunder on the breach of any of the conditions therein contained, or in default of payment of any consideration payable thereunder.

6. (1) On the occurrence of any public emergency, or in the interest of the public safety, the Government, or any officer specially authorized in this behalf by the Government, may

(*a*) take temporary possession of any wireless telegraphy apparatus established, maintained, worked or possessed by any person licensed under this Regulation ; or

(*b*) order that any wireless communication or class of wireless communications to or from any person or class of persons or relating to any subject shall not be transmitted by any wireless telegraphy apparatus or shall be intercepted or detained, or disclosed to the Government or an officer thereof mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under sub-section (1) was in the interest of the public safety, a certificate signed by a Secretary to the Government shall be conclusive proof on this point.

Offence and penalty.

7. (1) Whoever possesses any wireless telegraphy apparatus in contravention of the provisions of Section 3 shall be punished, in the case of the first offence with fine which may extend to one hundred rupees, and in the case of a second or subsequent offence with fine which may extend to two hundred and fifty rupees.

(2) For the purposes of this section, a Court may presume that a person possesses wireless telegraphy apparatus if such apparatus is under his ostensible charge, or is located in any premises or place over which he has effective control.

8. Whoever establishes, maintains or works wireless

telegraphy apparatus in contravention of the provisions of Section 3 shall be punished with imprisonment which may extend to three years or with fine or with both.

Power of search.

9. If the holder of a license granted under Section 3 contravenes any condition contained in his license, he shall be punished with fine which may extend to one thousand rupees and with a further fine which may extend to five hundred rupees for every week during which the breach of the condition continues.

10. (1) The District Magistrate, or a Magistrate of the First Class or a Magistrate of the Second Class specially empowered by the Government in this behalf, may issue a warrant for the search, at any time between sunrise and sunset, of any building, or place in which he has reason to believe that any wireless telegraphy apparatus in respect of which an offence punishable under this Regulation has been committed, is kept or concealed.

(2) The officer to whom a search warrant under sub-section (1) is addressed may enter into any building, or place mentioned in the warrant and seize any wireless telegraphy apparatus in respect of which he has reason to believe an offence under this Regulation has been committed.

11. (1) If in the trial of an offence under this section, the accused is convicted, the Court shall decide whether any apparatus in respect of which an offence has been committed should be confiscated, and if it so decides, may order confiscation accordingly.

Apparatus confiscated or having no owner to be property of Government.

(2) All wireless telegraphy apparatus confiscated under sub-section (1) and all wireless telegraphy apparatus having no ostensible owner shall be the property of the Government.

12. Notwithstanding anything contained in the Code of Criminal Procedure, 1904, offences under this Regulation shall, for the purposes of the said Code, be bailable and non-cognisable.

Power of court to direct payment of fines to prescribed authority.

13. A Court inflicting a fine as punishment for any offence under this Regulation or Rules made thereunder may direct that the amount of the fine or any part of it shall be paid to the prescribed authority to be utilised for the benefit of any Broadcasting Service approved in this behalf by the Government.

Power of Government to make rules.

14. (1) The Government may, by notification in the Official Gazette, make rules for the purposes of the carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*i*) determining that any article or class of article shall be or shall not be wireless telegraphy apparatus for the purposes of this Regulation;

(*ii*) the exemption of persons or classes of persons under section 4 from the provisions of this Regulation;

(*iii*) the manner of and the conditions governing the issue, renewal, suspension and cancellation of licenses, the form of licenses, and the payments to be made for the issue and renewal of licenses;

(*iv*) the maintenance of records containing details of the acquisition and disposal by sale or otherwise of wireless telegraphy apparatus possessed by dealers in wireless telegraphy apparatus;

(*v*) the conditions governing the sale of wireless telegraphy apparatus by dealers in and manufacturers of such apparatus; and

(*vi*) constituting the authority referred to in section 5.

(3) In making a rule under this section, the Government may direct that a breach of it shall be punishable with fine which may extend to one hundred rupees.

STATEMENT OF OBJECTS AND REASONS.

In order strictly to regulate the establishment and working of wireless apparatus in British India, the Indian Telegraph Act of 1885 was amended by Act VII of 1914. The establishment, maintenance or working of wireless telegraph apparatus was controlled under the Act by the issue of licenses. Unlicensed apparatus could not be detected unless they were located. Act XVII of 1933 was therefore passed in British India to prohibit the possession without license of wireless apparatus as distinct from their establishment, maintenance or working.

Though the Indian Telegraph Act has been made applicable to Mysore by Regulation IV of 1899, the amendments introduced in British India by Act VII of 1914 have not been adopted in Mysore. In view of the increasing

use of radio telegraph apparatus in Mysore, it is desirable to take statutory power to control and regulate in Mysore their possession, establishment, maintenance and working.

The main features of the bill are as follows:—

No person may establish, maintain, work or possess a wireless telegraph apparatus except under a license. Clause 3.

Power is, however, taken to exempt from license in certain causes such as those used for research purposes. Clause 4.

The condition and the fee for licenses will be prescribed by rules. Breach of any conditions will involve the revocation of the license and is also punishable with fine. Clause 5 (2).

Provision is also made for the control of the working of wireless telegraph apparatus and the sending and receiving of wireless communications in times of emergency or in the interest of public safety. Occasions may arise when such control would be necessary. Clause 6.

The establishment or possession of the apparatus without license is made punishable. Clauses 7 & 8.

Power of search is provided for as it is necessary for the proper enforcement of the Regulation. Clause 10.

Apparatus in respect of which an offence has been committed may be confiscated if the Court so orders it. Clause 11.

Provision is made for granting, out of the fine inflicted, any sum for the benefit of any broadcasting service as a contribution towards the cost of its maintenance in return for the benefit derived out of it. Clause 13.

Provision is made for the making of rules. Clause 14.

No. 2159—*L. C., dated Bangalore, 28th November* 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to amend the Hindu Law is published for general information with the statement of objects and reasons.

By Order,
A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

Bill to amend the Hindu Law.

Whereas it is expedient to amend the Hindu Law relating to exclusion from inheritance of certain classes

of heirs and to remove certain defects; it is hereby enacted as follows :—

Short Title. 1. (1) This Regulation may be called the Hindu Inheritance (Removal of disabilities) Regulation, 193

Extent. (2) It extends to the whole of Mysore.

Persons not to be excluded from inheritance or rights in joint family property. 2. Notwithstanding any rule of Hindu Law or custom to the contrary, no person governed by the Hindu Law, other than a person who is and has been from birth a lunatic or idiot, shall be excluded from inheritance or from any right or share in joint family property by reason only of disease, deformity, or physical or mental defect.

Saving, and exception. 3. Nothing herein contained shall affect any right which has accrued or any liability which has been incurred before the commencement of this Regulation, or shall be deemed to confer upon any person any right in respect of any religious office or service or of the management of any religious or charitable trust which he would not have had if this Regulation had not been passed.

STATEMENT OF OBJECTS AND REASONS.

The Hindu Law as at present administered contains provisions excluding from inheritance certain classes of heirs suffering from congenital, physical or mental defects. This rule of exclusion is based on ancient texts and was based probably on the ground that the defects incapacitated the persons from having religious efficacy. Society has advanced and whatever might have been the reason for the original rule of exclusion, it has lost its force in these modern days of enlightened ideas and has become obsolete. It is therefore considered that it is time that the rule is modified by legislation.

Congenital lunacy or idiocy stand on a different footing. The persons suffering therefrom will be unable to manage the property. The disqualification for inheritance will therefore be kept up in this case.

It is not however proposed to affect rights accrued or liability incurred before the commencement of the Regulation, nor any rule regarding the management of any religious or charitable trust.

The rule has been modified in British India by Act XII of 1928 and it is proposed to introduce legislation here on similar lines.

No. P. 3597—Legis. 46-35-128, dated Bangalore, the 30th November—2nd December 1936.

In exercise of the powers conferred upon them under Section 14 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to issue the following proviso to Rule 4 of the Rules issued with Notification No. P. 3443—Legis. 46-35, dated 27th November 1935, the draft in the said behalf having already been published with Notification No. (Camp) P. 5—Legis., dated Camp Mysore, 25—27th October 1936 at page 436, Part IV of the *Mysore Gazette*, dated 29th October 1936.

RULE.

Add the following as proviso to Rule 4 of the Rules relating to the levy of tolls published with Notification No. P. 3443—Legis. 46-35, dated 27th November 1935:—

"Provided that in those cases in which such a vehicle when it subsequently passes the toll-bar, gate or station within the said 24 hours becomes liable, except for this rule, to a higher rate of toll than that already paid, the difference between the higher rate of toll that is thus due and the toll already paid shall be payable".

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

No. D. 3677—*I. & C.* 203-25-21, *dated Bangalore, the 1st—2nd December* 1936.

The following draft rule proposed to be framed under the Mysore Factories Regulation No. I of 1936, relating to the grant of exemptions under Section 43 of the Regulation, is hereby published for general information. Persons interested are requested to send to the undersigned their objections or criticisms, if any, in regard to this rule within three months from the date of this publication.

By Order,

M. VENKATANARANAPPA,
Secretary to Government,
Development Department.

Rules under the Mysore Factories Regulation, 1936.

ADULT WORKERS EXEMPTED UNDER SECTION 43 (2), (3) AND (4) FROM CERTAIN RESTRICTIONS ON WORKING HOURS.

Exemption of certain adult workers.

Rule 114.—Adult workers engaged in Factories specified in Column 2 of the Appendix on the work specified in Column 3 of the said Appendix shall be exempt from the provisions of the sections specified in Column 4, subject to the conditions specified in Column 5 of the said Appendix.

APPENDIX.

(RULE 114.)

Adult workers exempted from certain restrictions on working hours.

Section of the Regulation empowering grant of exemption	Class of Factory	Nature of exempted work	Extent of exemption	Conditions
43 (2) (a) and 43 (3).	1. All factories ...	Urgent repairs ...	Sections 34, 35, 36, 37, 38, 39 and 40.	Unless the Inspector gives permission in writing for reporting, otherwise than as herein laid down, the employment of persons on urgent repairs, the manager— (i) shall send within twenty-four hours of the commencement of work on urgent repairs, written notice to the Inspector describing briefly the nature of the urgent repairs and the probable period of their duration; and (ii) shall send weekly during the continuance of the work on urgent, repairs, a statement giving the names of all persons who have worked for more than ten hours on any day or more than fifty-four hours of the preceding week in a non-seasonal factory or more than sixty hours of the preceding week in a seasonal factory, showing the total number of hours worked each day in the week.
43 (2) (b) ...	2. All non-seasonal factories other than those on continuous processes.	(i) Work performed by engine drivers.	Section 35 ...	(a) Such workers shall receive two holidays in each period covered by four consecutive statutory factory holidays and shall not be allowed to work for more than six hours on the other two weekly holidays. (b) The notice required by Section 35 must be delivered to the Office of the Inspector showing on which days holidays will be observed.
Do ...	...	(ii) Work performed by ordinary firemen working with one working boiler and work performed by all engine boilers.	Do ...	(a) Such workers shall receive two holidays in each period covered by four consecutive statutory holidays. (This exemption shall not apply to firemen working in factories with two or more working boilers nor to coal breakers nor coal carriers.) (b) The notice required by Section 35 must be delivered to the Office of the Inspector showing on which days holidays will be observed.

Adult workers exempted from certain restrictions on working hours—*contd.*

Section of the Regulation empowering grant of exemption	Class of Factory	Nature of exempted work	Extent of exemption	Conditions
43 (2) (h) ...	3. All seasonal factories other than those employed on continuous processes.	Work performed by all workers in the engine room and boiler house.	Section 35 ...	No worker shall be allowed to work more than six hours on the weekly holidays.
43 (2) (b) and 43 (3).	4. All factories other than those employed on continuous processes.	Work performed by workers employed in the engine room or boiler house. (See also No. 1 above).	Sections 34, 36, 37 and 38 and from Sections 39 and 40 provided the register or muster-roll required by Section 41 is maintained up-to-date and correctly giving the particulars of periods within which such workers may be required to work.	(a) The intervals for food and rest shall be given to all workers allowed to work on such work; (b) No worker shall be allowed to work for more than sixty hours of any one week in a non-seasonal factory or for more than sixty-six hours of any one week in a seasonal factory; (c) No worker shall be allowed to work more than— (i) eleven hours in any one day in factories which work main machinery nine hours a day; (ii) twelve hours in any one day in non-seasonal factories which work main machinery ten hours a day or for more than six hours on the day on which such factories work machinery only four hours; (iii) thirteen hours in seasonal factories working main machinery eleven hours a day or for more than seven hours on the day when such factories work machinery five hours or less; (iv) twelve hours in seasonal factories working main machinery ten hours a day; (d) no woman shall be allowed to work for more than ten hours a day; (e) in seasonal factories which work main machinery eleven hours a day no worker shall be allowed to work in such a manner that the spread-over exceeds fourteen hours in any one day. NOTE.—Workers in other factories are not exempted from Section 38.

43 (2) (b) and 43 (3)	5. All factories other than those employed on continuous processes.	Work performed by night firemen during periods when the main departments of the factory are not working.	Sections 34, 36, 37 and 38 and from Sections 39 and 40 provided the "spread-over" does not exceed fourteen hours and is shown correctly in the D. Register or muster-roll required by Section 41.	No worker shall be allowed to work for more than sixty-six hours in any one week in a non-seasonal factory, or for more than seventy-two hours in any one week in a seasonal factory.
43 (2) (c) and 43 (3)	6. All non-seasonal factories.	Work performed by drivers on lighting, ventilating and humidifying apparatus.	Sections 34, 36 and 37 and from Sections 39 and 40 provided the Register or muster-roll required by Section 41 is maintained up to date and correctly giving particulars of periods within which such workers may be required to work.	No worker shall be allowed to work more than— (a) twelve hours in any one day; (b) sixty-six hours in any one week; (c) intervals for food and rest shall be given to all such workers.
43 (2) (c) ...	7. (i) Cotton spinning and weaving Mills.	Work performed by fire pumpmen.	Sections 34, 36 and 37 and from 39 and 40 provided the Register and muster-roll required by Section 41 is maintained up to date and correctly giving particulars of periods within which such workers may be required to work.	No worker shall be allowed to work for more than 66 hours in any one week.
43 (2) (b) ...	(ii) Cotton spinning and weaving Mills.	Work involved in cleaning blow room flues.	Sections 34, 36 and 38 ...	(a) No worker shall be allowed to work for more than 57 hours in any one week; (b) the spread-over shall not exceed 14 hours in any one day.
Do ...	8. Dyeing and bleaching factories or departments.	Work performed by Firemen.	Sections 34, 36 and 37 ...	(i) No worker shall be allowed to work for more than 66 hours in any one week. (ii) No worker shall be allowed to work more than— (a) eleven hours in any one day in factories which work machinery 9 hours a day; or (b) twelve hours in any one day in factories which work machinery 10 hours a day or more than 6 on days when main machinery works four hours. (iii) the intervals for rest and food totalling one hour shall be given every day and the register or muster-roll maintained in accordance with Section 41 shall show correctly the periods of work of each worker.
43 (2) (d) ...	9. Cloth printing, bleaching and dyeing factories or departments.	All work ...	Section 37 ..	.....

Adult workers exempted from certain restrictions on working hours—*contd*

Section of the Regulation empowering grant of exemption	Class of Factory	Nature of exempted work	Extent of exemption	Conditions
43 (2) (c) and 43 (3)	10. (i) All factories other than cotton spinning and weaving mills.	Work performed by fire pumpmen.	Sections, 34, 36 and 37 and from Sections 39 and 40 provided the register or muster-roll required by Section 41 is maintained up to date and correctly giving particulars of periods with which such workers may be required to work.	No worker shall be allowed to work for more than— (i) 66 hours in any one week in a non-seasonal factory; or (ii) 72 hours in any one week in a seasonal factory.
43 (2) (b) ...	(ii) All factories other than cotton spinning and weaving mills.	(a) Work performed by oilers, and (b) Work in mechanic shops, smithies or foundries so far as such work in complementary to the main operations.	Sections 34 and 36 ...	No worker shall be allowed to work— (a) in a seasonal factory more than 72 hours in any one week or for more than 12 hours in any one day; (b) in a non-seasonal factory more than 66 hours in any one week or for more than 12 hours in any one day. Provided that this exemption shall not apply— (i) in the case of work performed by oilers, where these workers or the factories in which they work have been exempted from the provisions of Section 35 or 37; and (ii) to the work in the mechanic shop, smithy or foundry portion of engineering workshops or to a smithy or foundry used solely as such.
43 (2) (b) and 43 (3)	11. Oil tank installations.	Work performed by workers in connection with pumping operations.	Sections 34, 35, 36, 37 and 38 and from compliance with Sections 39 and 40 during the continuation of pumping operations, in respect of such workers.	(a) Sufficient intervals for rest and food are given. (b) No worker is allowed to work more than 66 hours in any one week. (c) A compensatory rest period of at least twenty-four consecutive hours is given to each worker after the cessation of the pumping operations. (d) Notice of such pumping operations with the number of workers allowed to work shall be sent to the Inspector as soon as possible after commencement of such work.

43 (2) (d) ...	12. Hydro-electric public supply factories.	Operations and maintenance of prime movers and auxiliaries, transformers and switches.	Sections 35, 36 and 37 ...	(a) The workers engaged on continuous processes shall ordinarily work on 8 hour shifts. (b) Each worker shall have a rest period of at least 24 hours duration on an average once per fortnight and as far as possible on every fourteenth day except where temporary difficulties prevent it.	
Do ...	13. Public electric supply companies generating electricity from oil in internal combustion engines.	The work of engine drivers and assistants, generator attendants, oilers and greasers, switch board operators and pumpmen.	Do ...	(a) and (b) Do	in 12 above.
Do ...	14. Public electricity supply companies generating electricity from oil or coal fired boilers.	The work of the firemen and assistants, engine or turbine drivers and assistants, generator attendants, oilers, pumpmen and switch board operators.	Do ...	Do	do
Do ...	15. Electrical transforming factories.	The work, *viz.*, operation and maintenance of the transforming plant, switches and synchronous condensers.	Do ...	Do	do
Do ...	16. Distilleries ...	Work on the extraction of sugar from various bases, fermentation of sugar juice and distillation of fermented wash.	Do ...	(a) The workers engaged on continuous processes shall ordinarily work on eight hour shifts. (b) Each worker shall receive a rest period of at least 24 consecutive hours in at least each 14 days.	
Do ...	17. Sugar factories ...	Extraction of the juice from the cane, clarification, evaporation and boiling of the juice. Curing of the massecuite. Bagging.	Do ...	As in exemption No. 16.	

Adult workers exempted from certain restrictions on working hours—*concld.*

Section of the Regulation empowering grant of exemption	Class of Factory	Nature of exempted work	Extent of exemption	Conditions
(2) (d) ...	18. Chemical factories	Work on the sulphur burners, chambers, concentrators and pumps; the manufacture of hydrochloric and nitric acid, sulphates, sulphides, nitrates and superphosphates. Work on the steam service.	Secs. 35, 36 and 37 ...	As in exemption No. 16.
Do ...	19. Vegetable oil hydrogenation factories.	The work, viz., refining bleaching, filtering Hydrogenating and Deodorising processes and also the compression of Oxygen and the filling of Cylinders.	Do ...	Do
Do ...	20. Magnesium Chloride factories.	The work on concentrating process.	Do ...	Do
Do ...	21 Municipal Pumping and Compressor Stations.	All work ...	Do ...	Do
Do ...	22. Train Gas lighting factories of Railways.	Do ...	Do ...	Do
Do ...	23. Water supply pumping Factories of Railway Workshops.	Do ...	Do ...	Do
Do ...	24. Lac Factories ...	Work of the Engine and Compressor Drivers and assistants and others.	Do ...	Do

Do	...	25. Carbonic Acid Gas works.	Work of Firemen, Pumpmen, Plant Drivers, Oilers and the filling of cylinders.	Do	... Do
Do	...	26. Oxygen Factories...	Engine and Plant Drivers, Oilers and the filling of Cylinders.	Do	... Do
Do	...	27. The Silver refineries.	All work ...	Do	... Do
Do	...	28. Coal Gas Factories.	All work in the retort house and the watergas plant. Work of the yard labour staff in the unloading coal feeding hoppers and removing coke. Work on the Syphon, Boilers Station meters and Governers.	Do	... Conditions (a) and (b) to exemption No. 16 and (c) the exemption for the yard labour staff shall be limited to male adults only, who shall as far as possible receive compensatory Holidays.
Do	...	29. Oil Mills (Working on 3,8 hour shift system).	All work ...	Secs. 36 and 37	... Workers shall ordinarily be allowed to work on 8 hour shifts.
Do	...	30. Oil Mills (Working on the two shift or single shift system).	Do ...	Sec. 37	... .
Do	...	31. (i) Flour Mills ...	Do ...	Do	... .
43 (2) (b)	...	(ii) do ...	Cleaning and overhauling and repairing of flour Mill Machinery.	Sec. 34	... No worker is allowed to work more than 6 hours in a week on this work and that no worker shall be engaged thereon who has worked on a night shift in the previous week.
Do	...	32. (I) Gur Factories...	The work performed by workers in crushing sugar canes.	Secs. 34 and 37	... No worker shall be allowed to work more than 66 hours in any one week.
43 (2) (c) and 44 (1)		(II) do ...	All other work except in crushing sugarcane.	Secs. 34, 36, 37, 39, 40 and 41.	A notice showing the hours' of work of the crusher shall be exhibited in the Factory and a copy sent to the Inspector.
43 (2) (d)	...	33. Cement Tile Factories.	Work on the curing of Tiles.	Section 35	... (a) No worker is allowed to work for more than 4 hours on the weekly holiday. (b) Do do on consecutive weekly holidays. (c) Do do for more than 56 hours in any one week.
Do	...	34. Glass Factories ...	Work in attending to furnace.	Sections 35 & 37	... .
			All work and processes from mixing of batch to removal of the manufactured glassware from the lears.	Section 35	... (a) No worker is allowed to work more than six hours on the weekly holiday. Conditions (b) and (c) to exemption No. 33.

IV-C

NOTE.—The attention of Managers of all factories is drawn to Section 47 and Rule 107 regarding payments for overtime work of exempted workers.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. G. 4081—*P. H.* 10-85-10, *dated Bangalore, 3rd—10th December* 1936.

Under Section 20 of the Mysore Prevention of Adulteration Regulation, IX of 1921, as amended by Regulations IV of 1929 and IV of 1930, Government are pleased to make the rules issued with Notification No. G. 2463—San. 61-31-7, dated 22nd September 1931 (annexed hereto) applicable to the Kolar Town Municipality.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Rules under the Mysore Prevention of Adulteration Regulation.

1. In these rules, "Regulation" means the Mysore Prevention of Adulteration Regulation, IX of 1921.

"Section" means Section of the above Regulation.

Section 3.—

2. The Officer to whom the local executive officer may delegate his powers shall be of the rank of a Health Officer or shall hold the Diploma of Public Health. No legal proceedings under the Regulation shall be instituted without the permission in writing of the President or the Commissioner as the case may be.

Section 20 (b).—

3. The area within which the local executive officer of a Municipal Council shall exercise powers shall be the Municipal limits of the place.

Section 20 (c).—

4. *Cleanliness of vessels.*—All vessels, receptacles or utensils used for manufacturing or preparing food or containing any food intended for sale shall be cleansed with clean boiling water before and after use and shall be kept in a constant state of cleanliness. In case of food likely to be acted upon by the metal of the vessels, receptacles or utensils in which the food is manufactured, prepared or contained for purposes of sale, precautions shall be taken to prevent such metallic contamination.

Section 20 (d).—

5. *How notice of admixture, addition or deficiency shall be given.*—If the vendor of any article intended for food knows that it is admixed with any foreign substance whatsoever or that any component part has been abstracted therefrom, he shall give due notice of such admixture or abstraction by means of distinct and clear labels in Kannada or in any other language likely to be read and understood by the people, affixed conspicuously on each package or receptacle containing the article. Unless the

vendor of any food containing an admixture, addition or deficiency, knows of his own knowledge, that the purchaser is able to read and understand the label, he shall give the purchaser the information contained in the label by word of mouth at the time of purchase.

Section 20 (e).—

6. The standards of purity prescribed for milk, cream, butter and ghee are as follows :—

Milk.—

Cow's milk.—(1) Where a sample of cow's milk (not being sold as skimmed or separated milk) contains less than three per cent of milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk fat or the addition thereto of water.

(2) When a sample of cow's milk or any skimmed or separated cow's milk contains less than 8·5 per cent of milk solids other than milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(3) When a sample of cow's milk whether sold as cow's milk or as skimmed or separated cow's milk contains less than 0·5 per cent of nitrogen, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

Buffalo milk.—(4) Where a sample of buffalo milk (not being sold as skimmed or separated milk), contains less than 4·5 per cent of milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk fat or the addition thereto of water.

(5) Where a sample of buffalo milk, whether sold as buffalo milk, or as skimmed or separated buffalo milk, contains less than nine per cent of milk solids other than milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

(6) Where a sample of buffalo milk, whether sold as buffalo milk or as skimmed or separated buffalo milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

N.B.—The minimum limits for nitrogen prescribed above under (3) and (6) are intended to be used in those cases in which a sample of milk when it is analysed, is so far decomposed that an estimation of the proportion of milk solids other than milk fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

Unspecified milk.—(7) Where a sample of milk, separated milk or skimmed milk is sold or offered for sale or hawked about, without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits given for the cow's milk in the above, it appears to be adulterated, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum limit for dirt in milk.—(8) Where a sample of milk, separated or skimmed milk, deposits on standing for a period of 24 hours or less, an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine by reason of its containing an excessive amount of dirt.

Cream.—(9) Where a sample of cream contains less than 20 per cent of milk fat, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the sample is not genuine.

Butter.—(10) Where the proportion of water in a sample of butter exceeds 20 per cent it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

Ghee.—(11) Where the proportion of water in a sample of ghee exceeds one per cent, it shall be presumed for the purposes of this Regulation, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

Section 20 (*f*).—

7. (1) No person shall add water or any dried or condensed milk or any fluid reconstituted therefrom or any skimmed milk or separated milk to milk intended for sale, and no person shall, by himself or by any servant or agent, sell or offer for sale or hawk about any milk to which any such addition has been made.

(2) No person shall abstract any ingredient from milk, without giving due notice of the same, in an unambiguous manner, of the fact of such abstraction therefrom, as prescribed in rules under section 20 (*d*).

(3) No person either by himself or any servant or agent, shall sell or offer for sale or hawk about as milk, any liquid in the making of which dried milk or condensed milk has been used or to which water or other diluent or adulterant has been added or from which any ingredient has been abstracted, without due notice of the same to the purchaser as prescribed in rule under section 20 (*d*).

Section 20 (*g*).—

8. Any receptacle containing dried, condensed, skimmed or separated milk shall be labelled with an adhesive label which shall contain the information and be of the size, indicated below. The information shall be in black type, printed or written in the centre of the label, which shall be of white colour. Nothing else shall be printed or written on the label, except the name of the article. The label shall be clearly visible to the purchaser and shall measure at least 2″×4″ where only Kannada is used or at least 4″×4″ where more than one language is employed.

Section 20 (*h*).—

9. (1) Any person taking a sample of milk for the purposes of this Regulation may add a preservative for the purpose of retaining the sample in a condition convenient for analytical purposes.

(2) The preservative used shall be the liquid commonly known as "formalin" which is a liquid containing about 40 per cent of formaldehyde in aqueous solution.

(3) The amount of preservative added shall be approximately in proportion of one drop of formalin for every 2 oz. of the sample of milk.

(4) Each sample of milk to which formalin has been added by the person taking the sample shall bear a notification on the label to the effect that it has been "artificially preserved."

(5) For the purposes of this rule, milk includes skimmed and separated milk.

10. *Penalty for breach of rules.*—Every manufacturer or dealer or vendor who—(*a*) disobeys, fails to comply with or acts in contravention of the provisions made under Rule 4 herein, in respect of cleanliness of vessels, receptacles or utensils used for manufacturing, preparing or containing any food intended for sale, or (*b*) neglects to affix labels to notify in the manner prescribed, the fact of the admixture of foreign ingredients in the case of adulterated articles of food or abstraction of any component part therefrom of any article of food; or (*c*) fails to give the purchaser in cases mentioned in Rule 5 information contained in such labels by word of mouth at the time of purchase, or (*d*) manufactures, deals in or sells milk, cream, butter or ghee below the standard prescribed in Rule 6 above shall, on conviction before a Magistrate, be punished with a fine not exceeding Rs. 50 and with a fine which may extend to Rs. 50 for every subsequent offence.

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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. Fl. 39-30—St. 14-36-2, dated Bangalore, 17th December 1936.

Under Section 2, Clause 10 (*b*) of the Mysore Stamp Regulation, the Government of His Highness the Maharaja of Mysore are pleased to appoint the Superintendent of Stamps to be Deputy Commissioner in respect of the powers conferred under Section 18 (2) of the said Regulation within the limits of the Bangalore City.

No. P. 3954—R. T. 36-36-2, dated Bangalore, the 18th—21st December 1936.

The following draft rules which the Government propose to make in exercise of the powers conferred upon them under Section 9 (4) and Section 33 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, are hereby published for the information of persons likely to be affected thereby and notice is hereby given that the

said draft will be taken into consideration on or after the 15th January 1937 and that any suggestions or objections which may be received from any person in respect of the said rules within that date will be considered by Government.

(1) Except where otherwise specified under the rules, all applications for remission or refund of tolls, taxes and cesses levied under the Regulation shall be made not later than one calendar month from the date of the expiry of the period for which the toll, the tax or the cess has been paid.

(2) For remission or refund of any amount paid under the Regulation as tolls, taxes, cess or for any other claim in respect of these, the period of limitation shall be one year from the date of the payment of the said tax, toll or cess.

No. P. 3968—R. T. 38-36-2, dated Bangalore, 22nd December 1936.

The following draft rules which the Government propose to make in exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicle Regulation, 1928, regarding motor vehicles of manufacturers, dealers and repairers, are hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 5th January 1937 and any suggestions or objections received by any person in respect of the said rules before the aforesaid date will be considered by Government.

From the date of coming into force of the above rules, Rules 7 and 8 of the Motor Vehicle Rules, 1924, issued with Notification No. P. 3015—Legis. 21-22-10, dated 12th December 1924 as amended from time to time, shall be of no effect.

Special rules regarding Motor Vehicles of Manufacturers, Dealers and Repairers.

Trade License and General Trade Number.

Upon application made by the manufacturer, dealer or any repairer of motor vehicles in the form annexed to these rules, the Registering Authority may, in his discretion and on being satisfied that the applicant is a *bona*

fide manufacturer of, dealer in or repairer of motor vehicles, grant to the applicant a Trade License in the Form "L" annexed to these rules and also assign to him a general trade number.

2. Each such general number shall have assigned to it a certain number of consecutive letters of the alphabet not exceeding seven and shall entitle the holder to have in use in a public place not more than the said number of motor vehicles at any one time.

3. Notwithstanding anything contained in Rule 2 above, the Registering Authority may, upon application by a manufacturer, dealer or repairer, assign to him a larger number of letters than seven and may permit such greater number of motor vehicles than seven to be used at one and the same time, as the Registering Authority may specify and subject to the payment of fees prescribed.

4. The Trade License specified above shall be granted or renewed for the period of each official year. The p Trade Licen

Provided that every general trade number issued in accordance with Rule 7 of the Mysore Motor Vehicles Rules, 1924, shall be valid for the period for which it was issued. On the expiry of this period and on application under Rule (1) above, a general trade number may be issued and made valid until 30th June 1937, and for such general trade numbers the fee payable shall be Rs. 5 for every month or part of a month of the official year ending with 30th June 1937 which is unexpired on the date on which the general trade number issued under the Mysore Motor Vehicles Rules referred to above expired.

5. The fee payable for the grant or renewal of a Trade License shall be as follows :— Fees.

(i) For a General Trade License with one letter of the alphabet assigned to it, Rs. 32 for one year. If for a shorter period, Rs. 10 for every month or part thereof.

(ii) For every letter of the alphabet exceeding one and not exceeding seven, Rs. 3 for every such additional letter in addition to the fee prescribed under item (i) above.

(iii) For every letter assigned in excess of seven, Rs. 5 for every such letter in excess of seven in addition to fees payable under items (i) and (ii) of this rule.

6. Whenever a motor vehicle is used in a public place under the authority of a General Trade License, it shall exhibit on flat plates affixed to the vehicle in the Exhi Gene Trad Numl every

manner prescribed by Rule 10 of the Mysore Motor Vehicles Rules, the said General Number together with the Serial Number allotted under Rules 2 and 3 above in white letters of uniform size on a red ground. When a General Trade Number is used with a motor vehicle which has been previously registered under the Mysore Motor Vehicles Rules, the General Trade Number shall be shown either to the exclusion of the original Registered Number or shall be affixed to the vehicle in such a manner that the original Registered Number is not visible.

7. The General Trade Number shall not be used on any vehicle other than a vehicle *bonafide* in the possession of the manufacturer, dealer or repairer in course of his business as such.

8. The Trade License shall be used only by the person to whom it is granted and such person shall not allow or suffer the license or the number assigned in connection therewith to be used by any other person but no offence under this sub-rule shall be deemed to have been committed if the person to whom the license is granted or a person *bonafide* in his employ and acting under his authority is present and in charge of the vehicle or if such vehicle is constructed for use by one person only and is being used by a prospective purchaser for the purpose of test or trial.

Duplicate Trade License.

9. A duplicate Trade License may be granted by the original Registering Authority on payment of one half the original Trade License Fees. The word "Duplicate" shall be clearly shown in red ink across the duplicate.

Circumstances under which General Trade number is to be used on a vehicle.

10. The holder of a Trade License shall not use any vehicle in any public place with the number allotted except in the following circumstances, namely :—

(*a*) when the vehicle is on test or trial during the course of construction or repairs or after completion in either such case ; or

(*b*) when the vehicle is proceeding to or from the prescribed place of registration ; or

(*c*) when the vehicle is on trial for the benefit of a prospective purchaser and is proceeding to or returning from the place the prospective purchaser intends to keep such vehicle. For such purpose the vehicle may be driven by the prospective purchaser if he holds a driver's license ; or

(*d*) when the vehicle is being taken for delivery to or from the premises of a manufacturer or trader, and from such premises to the premises of a purchaser or of another manufacturer or trader; or

(*e*) when the vehicle is proceeding to or returning from a workshop for the purpose of having a body fitted to the vehicle or for painting or repairs; or

(*f*) when the vehicle is proceeding from the premises of a manufacturer or trader to a railway station or wharf for entraining or shipment, or from a train or ship to the premises of the manufacturer or trader; or

(*g*) when the vehicle is proceeding to an exhibition of motor vehicles for the purpose of exhibition or is returning from such exhibition to the premises of a manufacturer or trader; or

(*h*) in trials and competitions sanctioned by Government; or

(*i*) when the vehicle is proceeding to or returning from any place at which the vehicle is to be or has been offered for sale.

General Trade Number Register.

10. Every manufacturer, dealer or repairer, who is granted a Trade License under these rules shall keep, in form "M" appended to these rules, a register showing the name of the driver in charge of each of the motor vehicles using the Trade License when allowed to leave his premises and the hours and dates on which such driver was in charge of the vehicle. Such register shall be open to inspection on demand by any police officer not below the rank of a Sub-Inspector. For the purpose of this rule, the European Head Constables in the State Service shall be deemed to be Sub-Inspectors of Police.

Cancellatio of Trade License.

11. The Registering Authority may at any time withdraw the Trade License issued under these rules if the dealer, manufacturer or repairer has used it for unauthorised purpose.

Provided that no order shall be made under this Rule until the Registering Authority has given the said dealer, manufacturer or repairer an opportunity of making any representations which he may wish to make.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,

General Department.

APPLICATION FOR TRADE LICENSE.

1. Full name and address of applicant.
2. The General Trade number assigned.
3. Number of consecutive letters of the alphabet required to be assigned with the General Trade Number.
4. The classes of motor vehicles in respect of which the letters of the alphabet are required.
5. Whether the applicant is a manufacturer of, dealer in, or repairer of motor vehicles.
6. Period for which required.
7. Amount of fee paid.

DECLARATION.

I do hereby declare that the trade license applied for by me is required *bona fide* for trade purposes.

Date.....

Place.....

Signature.

"L"

FORM OF TRADE LICENSE.

1. Serial No. of license.
2. Full name and address of licensee.
3. Trade number assigned in respect of the license.
4. Letters of the Alphabet assigned with the Trade number.
5. Classes of motor vehicles in respect of which the letters of the alphabet to be used.
6. Date of expiry of the license.
7. Amount of the fee paid.
8. Date Stamp of office of issue.

Station.....

Dated.....

Inspector-General of Police and Registering Authority,
Motor Vehicles Department, Mysore State, Bangalore.

Register to be kept and written up from day to day by every manufacturer, dealer or repairer who is granted a trade license under rule 7 of the Mysore Motor Vehicles Rules.

Date and time when the vehicle goes out	Name of person in charge thereof	The purpose for which the vehicle is sent out	The date and time of the return of the vehicle to the premises	The distinguishing No. and letter or letters affixed to the vehicle

No. D. 3877—Geol. 45-36-2, Bangalore, dated 7—15th December 1936.

In exercise of the powers conferred by Section 4 of the Mysore Explosives Regulation No. II of 1888, the Government of His Highness the Maharaja are pleased to direct that the records and accounts of explosives referred to in Condition 2 of License Forms A, B, C, D, F, K and L and Condition 4 of License Form J of the Rules under the said Regulation be kept in the Forms appended hereto. They will be numbered as Form Y and Form Z under Schedule II of the Rules. Paper of good quality should be used for these forms which should be neatly bound into books. The pages of each book should be numbered consecutively and bear the seal of the Office of the District Magistrate (Licensing Authority). The number of pages in each book should be certified to by the District Magistrate on the fly leaf before it is broughtin to use. The accounts prescribed under this Notification will be brought into force from 1st July 1937.

By Order,

M. VENKATANARANAPPA,
Secretary to Government,
Development Department.

FORM Y

Stock Account Book of , son of , resident of
District , licensed to manufacture, possess and sell Explosives or their ingredients.

Date		Description of Explosives													
		Gunpowder	Blasting Gelatine	Gelatine Dynamite	Gelignite	Dynamite	Detonators	Fuse	Cartridges	Percussion Caps	Fireworks	Sulphur	Nitre	Shots	Remarks
	In Stores														
	Added to Stores														
	Disposed of														
	In Stores														

FORM Z.

Day Book of , resident of
District , licensed to manufacture, possess and sell Explosives or their ingredients.

Month	Date	Name of person to whom issued	Name of father	Full addressed			Description of article or articles issued	Quantity	Price if any	Purpose of issue
				Village	Taluk	District				

No. P. 4060—R. T. 39-36-1, dated Bangalore, the 23rd December 1936.

In exercise of the powers conferred upon them unde Section 20 of the Road Traffic and Taxes Regulatio No. VI of 1935, the Government of His Highness th Maharaja of Mysore are pleased to sanction the followin rates of fee for composition of tolls payable under the sai Section in respect of the undermentioned classes motor vehicles, in modification of rates prescribed for suc vehicles in Government Notification No. P. 3315—Legi 46-35-3, dated 18th November 1935.

2. The above rates of fees will come into force o and from the 1st of January 1937.

3. In regard to other classes of vehicles, the ra prescribed in Notification No. P. 3315—Legis. 46-35- dated 18th November 1935, as printed on page 37 the Motor Vehicles Tax Rules under Appendix VI Schedule IV A. continues with the proviso and the ra of rebate specified therein.

Class of vehicles	Fees per quarter	
	For vehicles fitted with pneumatic tyres on all wheels	For other vehicles
	Rs. a. p.	Rs. a. p
1. Motor cycles :—		
(*a*) with two wheels ...	3 12 0	6 8 0
(*b*) if used for drawing a trailer or side car.	6 4 0	9 8 0
(*c*) with three wheels ...	6 4 0	12 8 0
2. Motor cars and motor cabs :—		
(*a*) weighing not more than 15 cwts. unladen.	11 8 0	21 8 0
(*b*) weighing more than 15 cwts. but not more than 30 cwts. unladen.	16 0 0	30 0 0

No. P. 4074—R. T. 40-36-1, Bangalore, dated 23rd December 1936.

Under sub-sections 2 and 3 of Section 9 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to approve of and notify the following arrangements for the payment of vehicle and other taxes for more than one consecutive half-year or quarter during a year :—

(*i*) Taxes for two consecutive quarters or half-years in a year may, for the present, be paid at the State Huzur Treasury, Bangalore, District Treasury, Mysore, and the Office of the Superintendent of Police, Kolar Gold Fields.

(*ii*) Vehicle taxes will be received in advance, for two consecutive half-years and quarterly taxes for two consecutive quarters, in any year. (During the 2nd half-year and the 4th quarter of any year, the taxes for the next half-year or quarter will not be received).

(*iii*) The Inspector-General of Police will, along with the supply of licenses for any half-year or quarter, supply to the Licensing Officers specified in clause (*i*) above the licenses for the succeeding half-year or quarter in the same year.

(*iv*) The Licensing Officers referred to above will issue to any one tendering the taxes for two half-years or quarters, the appropriate licenses for each of the two half-years or the quarters as the case may be.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,
General Department.

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